The New REPUBLIC

A Journal of Opinion

VOL. LXIII NEW YORK, WEDNESDAY, JUNE 25, 1930 NUMBER 812

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The Week

MR. HOOVER'S apology for signing the tariff bill is, like most apologies, wavering and self-contradictory. It begins by quoting the Republican platform pledge in favor of a complete application of the protective principle to the farmer and to such industries as, on account of high costs, cannot "command the home market." This principle amounts to establishing an embargo on imports. The statement then quotes figures from which we are supposed to infer that duties under the new law are lower and cover a smaller amount of imports than under most of the preceding tariff laws. If these figures were to be taken at their face value, we should have to conclude that the platform pledge had been ignored and the tariff reduced. There immediately follow other figures indicating a large average increase in the duties on farm products and a somewhat smaller average increase in the duties on other products, besides the increases in "compensatory duties" on manufactures made from agricultural raw materials. Apparently to answer the contention that this is a general revision, as opposed to the limited revision called for by the President when he summoned Congress to act, Mr. Hoover states that, measured in value of total imports, 22.5 percent of the duties have been increased, and measured in number of items, 27 percent have been increased. Having thus taken blanket responsibility for the work of Congress in revising rates, Mr. Hoover specifically disclaims responsibility for that work, saying that "no President . . . can pretend to make that exhaustive determination of the complex facts which surround each of these 3,300 items."

AFTER this attempt to please both those who like the new rates and those who dislike them, the Hoover tariff statement goes on with equally illogical arguments for the flexible provision. This will provide the means for remedying the faults of the bill—and it is to be noted that a preceding section had said, "There are items upon which the duties will prove too high and others upon which duties will prove to be too low." Thus both low-tariff and high-tariff people are placated by this promise. Mr. Hoover acknowledges that the old tariff commission has not worked well, but avers that the new one will work better—though he does not give any convincing reasons why it should. He says that even if the present bill were perfect, the revision of "a continuous stream of items" would be necessary, on account of "increased rapidity of economic change." Yet the revisions cannot disturb business, since they can be made in only "one item at a time," after judicial open hearings and investigations. And the principles of revision "assure a protective basis." We leave the reader to guess how many of the 3,300 items the Tariff Commission is likely to reduce in the next two years. Allowing a month per item for investigation and hearings, it could struggle through a couple of dozen cases. And maybe half of these, with good luck, would result in reductions of rates.

WITH all this confused material on the new tariff, which many will attribute to conscious equivocation, but which we believe is only ordinary muddy thinking, Mr. Hoover utterly ignores the fundamental arguments, which have convinced a large part of the country that the present upward revision is a

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fraud as an aid to agriculture and is injurious in many important ways. Will the tariff increases on farm products be effective? Certainly the wheat and cotton markets, which greeted the Hoover statement with a dramatic collapse in values, don't think so. Mr. Hoover, "scientist and statistician," has never condescended to discuss seriously the weight of good economic evidence to the effect that, outside of the sugar growers and a few other relatively minor groups, the farmers will be more hurt than helped. Nor does he discuss the major criticisms of the protective policy itself—its encouragement of inefficiency, its obstacles to the development of world markets, which are necessary for international prosperity (true and lasting prosperity must be international), its stirring up of international ill will, its repercussion on American industry through foreign reprisals. These considerations seem to be quite beyond Mr. Hoover's mental powers. And, as to his final apology, that uncertain business must have the relief of final decision on the matter, the Hoover tariff panic on the Stock Exchange furnishes a crushing reply.

THE final report of S. Parker Gilbert, Agent General for reparations under the Dawes Plan, is superficially optimistic, but contains matter for serious reflection. He says that German industry has been put into good shape, and all that remains is to devote equal attention to governmental finances. But the condition of German industry seems somewhat less sound when one later learns from the report that unemployment has been so severe that the unemployment-insurance system is not on a self-supporting basis. And while Mr. Gilbert maintains that governmental revenues are ample to meet the obligations of the Young Plan, he shows at the same time that the budget has not been in balance for four years, the last deficit being $294,346,000. To make the budget balance, he assumes, requires only a proper control of expenditures. Is this really true? Can the budget be cut enough to yield the Young Plan payments in full, without crippling essential outlays or services? And if not, may not taxes have to be uneconomically increased? Mr. Gilbert notes with satisfaction that in 1929 there developed a slight export surplus, which enabled Germany to meet her foreign payments even though foreign loans to her fell off drastically. But this result was achieved only at a time of depression, when German industries did not need so many foreign materials as they might otherwise have required. The report, after all, furnishes no good assurance that the Young Plan is a final settlement of reparations.

THE present civil war in China is following the normal course. After a month or so of fighting in any of these conflicts, reports begin to be heard that one general or another is willing to sell out, that peace overtures are being made by some third party, and so on. Usually these reports are without foundation, though they circulate so extensively that even some of the combatants themselves are confused by them, and surprised to find they are not true. It would be foolish, certainly, to take at their face value current stories from Nanking that Feng Yu-hsiang, one of the Northern allies, has offered to sell out, or the other tale that Chang Hsueh-liang, of Manchuria, is preparing to move troops south of the Great Wall to aid Nanking against the Northerners. Both of these statements may be true; but neither is convincing on its face. More significant than these stories about possible moves in the north is the advance of the Kwangsi forces toward Hankow. The Kwangsi faction was formerly one of the strongest groups among the Nationalists, but fell out with Chiang Kai-shek and was defeated by him a year ago. It has now assumed the offensive again and is advancing toward Hankow. It is not being attacked from Canton, which suggests that the leaders there, supposedly loyal to Chiang, may have sold out to Kwangsi or come to some sort of agreement. Even if they are unable to do Chiang more serious harm, the Kwangsi group will retain control of the southwestern provinces, just as the present Northern group will dominate the northwest, and Chang Hsueh-liang Manchuria. Such regional division of control seems inevitable until better facilities for communication and transportation are created.

JOHN D. ROCKEFELLER, JR., owns a tremendously valuable area in the heart of Manhattan, between Forty-eighth and Fifty-first Streets, Fifth and Sixth Avenues. For a long time he planned to build there a great new opera house; but for some reason he has now abandoned this in favor of art for the masses—vaudeville, movies and broadcasting. He will spend about $250,000,000 (much of which, however, will create income-producing property) on two great buildings at the east and west ends of his site, with a garden plaza connecting them. Forty-ninth and Fiftieth Streets will be put underground, where there will also be a huge automobile parking place. One of the buildings will be a sixty-story skyscraper containing numerous broadcasting studios so planned that they can be converted to television if and when that much-heralded invention becomes practicable. There will be a great vaudeville theater, a talkie house, one for legitimate drama, perhaps a concert hall, and so on. It is hard not to have grave doubts about this enterprise. As to the architecture, Mr. Rockefeller will presumably take good advice, and the initial conception shows some courage and imagination. There is at present no reason, however, to marry broadcasting to stage presentation. It is said that the theater audiences will help pay artists' salaries for the benefit of radio listeners; but everyone knows by now that the best radio presentations are made in studios, and are entirely different in spirit and technique from a stage performance. This will also be true, certainly, of tele-

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vision, which would be as badly hampered if conducted on a public stage as would the making of talking movies.

IT IS a matter for real concern, however, that all this side of the enterprise is to be under the direction of the Radio Corporation of America. Mr. David Sarnoff and Mr. Owen D. Young are estimable and able gentlemen, but they have never given any evidence of being competent to take part in, still less to direct, any important artistic endeavor. The radio programs of their National Broadcasting Company, while they are improving, are still at the general cultural level of a cheap Sunday newspaper, the entertainment and education they offer being just barely good enough to keep people listening so that a mass of advertising may be stuffed into their ears. Radio-Keith-Orpheum moving pictures, also under their direction, are mediocre entertainment, designed for the single purpose of making as much money as possible. It is an ominous fact that their choice for director of all these new theaters should be Samuel L. Rothafel, "Roxy," of movie-palace fame, a man who combines a nice ear for light popular music with some of the most dreadful sentimentality ever inflicted upon radio listeners. To make him head of a great cultural enterprise is just about equivalent to selecting Irving Berlin as president of Columbia University.

OLD-FASHIONED readers of De Quincey's "Murder as a Fine Art" will recall that one of the incidents of a meeting of the Murder Club was the disappearance of a reporter. This occurrence gave rise to a song which became popular with the amateurs, beginning with the inquiry amid laughter, *Ubi est ille reporter?* and closing with a grand burst of merriment—*Non est inventus.* At the time it doubtless seemed an extraordinary flight of fancy that a club of experts should bite the hand which fed them publicity, but in Chicago fiction often has a way of turning to fact. The last sensation in its criminal history is the shooting of a young man connected with The Tribune, by a gunman, in the much traveled subway under Michigan Boulevard leading to the Illinois Central Station for suburban trains. The Chicago papers have exchanged fraternal greetings, demonstrated solidarity and sworn blood brotherhood against the gangs.

LINGLE, the victim, was a journalist of a peculiar type. His name rarely or never appeared at the head of an article along with those of his brilliant *confrères* of The Tribune staff. He was a specialist in crime, one of the liaison officers who keep the newspaper abreast of the doings in his world much as Washington correspondents or war correspondents in theirs. Such a man plies a dangerous trade and needs both discretion and adroitness. As in the case of other correspondents, he must be useful to both sides. Mr. Lingle was close to the Capone outfit, and indeed is said to be largely responsible for the national reputation of its chief. The inference is plausible—though we refrain from drawing it—that he was shot by representatives of the rival concern headed by "Bugs" Moran. The real importance of the incident is in calling attention to the connection between the newspapers and crime. Next to war, crime affords the most readily salable news, and it is absurd to deny that both are very welcome in the copy room and business office. Newspapers indirectly promote both by publicity. A gangster ought to prefer anonymity, but he is often as fond of the front page as a bishop. Lately the Chicago papers have recognized the damage which they were doing the city by giving a disproportionate amount of space and prominence to crime, but instead of exercising self-restraint in the matter, they fell to abusing the New York papers for holding out on the public by relegating all but the top-notch murders to the inside pages. The Lingle murder should logically mean less criminal publicity, but it will doubtless result in more.

Humpty Dumpty Hoover

FEW Presidents have, in such a short run of time, had so great a fall in popular estimation as has Herbert Hoover. The wall he sat on when he was elected was prosperity. Coolidge and his party had taken the credit for it, steadfastly overlooking its blemishes and its insecurities. And Hoover was content to sit there. His own political plumpness was swelled by his reputation as humanitarian, expert administrator and economist. As an article in The New Republic said just before his inauguration, "A depression would bring down on Mr. Hoover's head a special nemesis. . . . If Mr. Coolidge has done well, Mr. Hoover ought to do twice as well. This expert, this engineer, this statistician, will fall from a very high pedestal indeed if Coolidge prosperity does not continue. . . . Mr. Hoover's apparent security at the beginning of his administration is his greatest peril. The auspices are too favorable."

Now the wall is in ruins, and Humpty Dumpty lies cracked at its foot. But all the king's horses and all the king's men are reported to have hope. Business revival is bound to come. The wall will rise again; the Hoover shell will be patched and he will be hoisted to the top. Though popular opinion cannot be made to understand that he was not responsible for the losses in wages, business profits and Wall Street speculation, it will assume that he is to be credited for the return of prosperity. An undeserved rehabilitation can atone for an undeserved ruin.—So runs the administration legend. But the question remains whether Humpty Dumpty himself can be put together again.

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Our suspicion is that the tragic state of Hoover is due no more to his former precarious position than to his inherent fragility. If he could sustain such a fall and still not be beyond mending, he would, after all, be no Humpty Dumpty. Confidence in him has been destroyed, not merely because fate has been against him, but because of the way in which his bearing against fate has revealed his qualities.

Every successful public man is a good actor. By this is not meant a man who pretends to be something he is not; such a man is not a good actor, but a cheap performer. A good actor evokes a role —though it may be provided for him by an author —out of the fullness of his own personality. He lives it in every attitude, every gesture, every intonation. This true presentment of life cannot arise from hesitation or caution; it embodies a fine recklessness. If the actor strikes a false note, he is said to be out of character; he introduces something foreign into the reality of the illusion which it is his calling to create. An actor who steps out of character destroys the rapport between himself and his audience; he betrays their imaginative confidence. A great political leader is like an actor in this. He knows, virtually by instinct, how to create in the observer the firm belief that he is what he seems to be. And this belief is what makes confidence in public men. What the character is matters far less than that it should be truly presented—as far as political success goes. In their capacities, policies and personalities, men could hardly be more unlike than Lincoln, Roosevelt, Coolidge, Al Smith. Yet all shared this ability to maintain confidence by remaining in character. Even men like Mark Hanna, Penrose or the contemporary Grundy of Pennsylvania, associated though they are with corruption or anti-social policies, are naturally liked because they can be trusted to play their parts. You "know where they stand"; you do not suspect that they are guilty of the meaner sorts of insincerity which hide conviction, make false excuses for the sake of convenience, betray lack of courage.

Hoover's role, as he stepped into the national footlights, was a new and noble one. We all remember it well. He was supposed to be the embodiment of the engineering spirit devoted to humane ends. He paid no attention to political stratagems or buncombe; his course was guided by candid study of the facts. He was somewhat in advance of his time. Shy, and inexpert at the glad-handing of politics, he could be expected to accomplish his best results only in opposition to traditional political forces. His appointments would be of the men best qualified for the jobs, regardless of influence. As an economist he knew how to keep business on an even keel and help it advance toward greater opportunity for service. As an administrator he would cut governmental waste and red tape. But it is not necessary to specify further. The character provided for him by the propagandists for his advancement was firmly outlined.

If Hoover had, in spite of his misfortunes, steadfastly lived this role, he would be today an object of popular sympathy and support, not of distrust. But he has not stayed in character. Three dramatic instances have impressed this fact forcibly on the public mind.

After the stock-market crash, when he called representatives of business together to see what remedial steps might be taken, the public response was all that he could have asked. But as people watched what was said and what was done thereafter, they gained the impression that the conference was not only a gesture, but a gesture which represented little reality. Spokesmen of the administration repeatedly gave out optimistic statements about unemployment, for instance, which later turned out to be false to the statistics. In attempting to create an atmosphere of confidence, predictions of revival were made which, as events subsequently proved, had no basis. It did not take the country long to conclude that what Hoover had done was not to make a competent effort to control events, founded on rigorous scientific method and a square look at the facts, but to put over a piece of old-fashioned propaganda. And the propaganda, it was felt, was not harmless, but actually tended to delay recovery. Economic commentators are now saying that at last conditions look more hopeful than they did, because, finally, business men have given up false hopes and have faced the harsh realities of the situation, prepared to do what is necessary. All this is a little unfair to Mr. Hoover, who at least did start something no other President ever started. But his action lacks even the credit that is due, because he and his associates played fast and loose with the facts and figures which are supposed to be his stock in trade. If he had said plainly last December that the date of recovery was extremely uncertain, that unemployment was severe and might become worse, that all that could be done, once the crisis had arrived, would be insufficient to bring prompt relief, but that at least it would help a little to stimulate construction and make a beginning at preparing to avoid the next depression, he might have been more unpopular at the time, but his credit would have been saved for the future. He would have acted the candid expert as opposed to the hooey-artist.

The appointment of Judge Parker of North Carolina to the Supreme Court was a gratuitous error for a President with Mr. Hoover's reputation. Coolidge might have made just such an appointment, or even a worse one, but while labor and the Negroes might have protested as valiantly, Coolidge's reputation would scarcely have suffered, because that was the sort of thing expected of him. It was obvious enough that Judge Parker had no outstanding claim to the appointment except that of being a North Carolina Republican. But why should Hoover play this kind of politics? Especially, why should he do it, when the appointment was politically so weak that he couldn't force the

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Senate to accept it? Even those who had little sympathy with the opposition to Judge Parker could not forgive the President for risking loss when he held so poor a hand. From any point of view, the appointment was a blunder. If Hoover had been acting in character, he would have appointed a man with no political recommendation, but strong in legal scholarship and reputation, and if such a nomination had been defeated, unquestionably the President would have emerged with flying colors.

And finally, the President's treatment of the tariff muddle has cracked the shell of his reputation clear across. It is now beginning to be understood by the country that the protective principle is fallacious. At least, the sense is spreading that we have outlived any need for extending it. It is known that the experts, the scientists, are against it. But a candidate for President, who was supposed to be an expert and a little ahead of his time, promised to ask Congress to raise the tariff. That in itself was out of character; it gained Mr. Hoover no popular support in the campaign. And the blunder has been steadily magnified by events. Now we see this same man, acting contrary to unanimous expert advice, sign a bill which he admits is unsatisfactory. We see him admit, in doing so, what his opponents said during the campaign, that congressional revision is bound to be an unsavory stew of log-rolling and special favors. We see him giving as a reason for signature that business can no longer stand the uncertainty which the process of revising the tariff—a process for which he is personally responsible—has caused. We see him blandly ignore the scientific demonstrations which have been made not once, but scores of times, that the tariff will hurt, not help, the majority of the farmers, in whose behalf it was undertaken. And we see him endorse the pious fraud that he can make a bad bill into a good one by the flexible provision. Whatever the actual effect, or lack of effect, of the new tariff on our foreign trade, on labor, on farmers and consumers, this action must be recognized by the dullest as not characteristic of the courageous expert, the skillful administrator, who ignores political forces in the interest of facts and human welfare. It would injure any President, but it smashes the Hoover illusion.

Mr. Hoover might yet rehabilitate himself if he had simply made the mistake of surrendering his true public character for the sake of imaginary necessities of the moment. He might turn about and bravely play his part as it was written. But, in our opinion, no such opportunity is open to him, because the role created for him is one that he is incapable of filling. He has not really disappointed us; we saw and pointed out the inappropriateness of the popular legend to the real Hoover, long before he was elected. When he was Secretary of Commerce and before, he revealed his tendency to use figures to prove what he wanted to believe, rather than to guide his judgment. He showed his weakness as an economic statesman in his mistaken appraisal of the illness of coal, of foreign-debt settlements and of other matters. He betrayed his willingness to go in the direction in which the preponderance of outside force pushed him, regardless of any humanitarian convictions he might have had, when he favored the packers and not the farmers during the War, when he decided to be a well behaved Republican, when he sat silent in the Harding Cabinet in the face of monstrous abuses, when he equivocated on the power issue and many others.

For Mr. Hoover, above all, is a "practical man." Some of the ends he has endorsed, or is said to have in view, are worthy of anyone's support. But he cannot be expected to fight for them against odds; he will not make a force of himself. He will manipulate, compromise and use his influence when he can without suffering too much loss. He will be content to make small additions to the common welfare if he can do so without opposing any group that is very powerful. The rest he will let slide. Judged by less exacting standards than those which have been set up for him, he might seem, at the end of four years, a President who had done a number of useful jobs; certainly a better President than his two immediate predecessors. But we fear that the great role is too firmly implanted in the public consciousness for his failure in it to be forgotten. We fear that Humpty Dumpty is broken beyond repair, and that the modest value of his true ingredients will not be recognized.

The Universal Spotlight

AS ADMIRAL BYRD and his companions roll homeward over the bounding deep, with the faithful wireless ready to tell the world of every change of sail, every blister and every headache, one is reminded afresh that the days of privacy are past and that we are living in a period in which neither heroism nor cowardice, neither virtue nor crime, can any longer exist without self-consciousness. The exploits of America's favorite admiral and his colleagues involved fully as much danger as those of the explorers who preceded them in the unknown parts of the earth. Columbus, Drake or Magellan might have recoiled at the prospect of flying over the South Pole. But because the Byrd adventure has taken place in the full glare of publicity it has unavoidably taken on a cinematographic character. The public has seen it, not as a thing in process of happening, with all the uncertainties which that entails, but as a plot surely destined to have a happy ending.

In a sense, this has not been fair to Byrd. The fact that no lives were lost during the expedition was due to a combination of thorough and scientific preparation and great good luck. It belittles a great achievement to make the admirable Admiral a kind of Rover Boy to whom, because he is a Rover Boy,

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nothing permanently unpleasant can possibly happen. But the Rover Boy conception is almost an inevitable outcome of the projection of the motion picture and the radio into folk psychology. Television, if it ever becomes possible to make wide use of it, will merely intensify the effect. In the present stage of the art we are not able to see men flying over the Antarctic continent, descending into the depths of the sea or scaling Himalayan peaks simultaneously with the actual performance of these feats. We have to be content with wireless messages describing each inch of progress, postponing actual seeing until the films have been rushed back to civilization. But this limitation may not be permanent. The all-seeing eye, like the all-hearing ear, may soon be universal.

But the significant feature of this development does not lie in the facilities for prominence that it gives to exceptional individuals. The fierce light that beats upon a throne is no new thing. It has merely been improved in quality by the invention and perfection of the electric light. In the same way the royal voice has been given a carrying power that it did not possess before. But royalty—and by royalty in this connection one means everyone who has power over his fellows or possesses an uncommon interest for them—has always managed to be seen and heard. No one can imagine Signor Mussolini, for instance, being anything less than blatant in any age of the world, radio or no radio, movietone or no movietone. But invention has immensely broadened the stage. It has broadened it to make room for all mankind. It has made every male potentially a chorus man, every woman a Roxyette.

To illustrate what this implies, let us consider the phenomenon presented by the News Reel Theater in New York City. Here we have, for fifty minutes, or as many minutes as we can stand, weekly glimpses of Byrd, Mussolini, Lindbergh, President Hoover, Babe Ruth and various others of our athletic, financial, political, fashionable, theatrical and even artistic and literary royalty. But the motion-picture camera is not content with the permanently or temporarily great or notorious. It is beginning to feature the crowd. What we have already said, with all due respect, about Admiral Byrd and the camera is beginning to apply to all of us and the camera. At first thought this line of reasoning may appear far-fetched. A moment's reflection will show that it is not. In so far as a crowd is an individuality, it will be affected like an individual by a given stimulus—such as, for instance, the bright eye of a camera. Now, the camera is more and more treating the crowd as hero. We see human beings en masse parading and watching parades; we see and hear them listening to speeches; we see them suffering from fires and floods; we see them rejoicing and we see them feeling sorry for themselves. Long before the newsreel had reached its present state of ecstatic perfection, motion-picture producers had discovered the dramatic appeal of the crowd or "mob." Crowds like crowds. Even the sophisticated individual can get a thrill from studying foreign faces in their native haunts. If the motion picture could give him smells as well as sounds and sights, he would not need to travel any more. He could be a Mandeville or a Gulliver for the price of a really good cigar.

But when the crowd has been seeing other crowds on the screen it must dawn upon its mass intelligence, if any, that it is also being seen. Already the New Yorker may occasionally see himself in the newsreels. From this stage it may be but a short step to a point where he will more and more think of himself, not as an actual and humble human being, but as a character on the screen. One emerges from seeing a newsreel with one's senses somewhat blunted. For an instant the whirling life of the street is not what might be called a *ding (or din) an sich*; it is, rather, a continuation of what one has just been hearing and looking at. One's feet move with the jerky rhythm of the broken bits of pictures that are the cinema. Probably one's mind moves temporarily in the same fashion. Let us imagine this phenomenon becoming widespread, as it surely must, as our facilities for seeing, hearing and perhaps smelling one another across great intervals of space are multiplied. The theatrical and spurious character of even an actual motion-picture photograph of an actual scene will more and more pervade our lives. We shall move, as Lafcadio Hearn thought of the Japanese doing, as though to inaudible music. We shall keep step to croonings and yowlings and military marches, and we shall never be natural, never unaffected, never unconscious, because we shall never know that the all-seeing eye of the motion-picture camera is not upon us and its all-hearing ear listening.

The self-conscious age will have succeeded the stone, bronze, iron and steel ages. A few eccentrics in out-of-the-way places may continue to chew and spit and swear and put their feet on the table quite as they damn please. But the overwhelming majority of us will be mentally and spiritually in Hollywood.

THE NEW REPUBLIC

PUBLISHED WEEKLY AND COPYRIGHT, 1930, IN THE U. S., BY THE NEW REPUBLIC, INC., 421 WEST 21ST STREET, NEW YORK

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Big Banks Out of Little Ones

The Significance of the Great Present Movement Toward Mergers, Branch and Chain Banking

THE OWNERSHIP of the great industries of the country is now in a more or less fluid condition and is susceptible to capture by any kind of organization which can command sufficient funds. This ownership, through the millions of shares of common stocks of hundreds of corporations, is drifting rapidly toward a number of focal points, and these points are the places where large pools of money are located.

The money of the masses of small investors will tend to be withdrawn from stocks and will move toward these pools, and then the stocks will also move toward these pools because the money is there to acquire them. And then in turn the pools themselves will be open to capture by any kind of organization which knows how to effect the capture, because there is no interest to defend them. And the organization to capture the pools, connect them and manage them for its own interest, is already in existence and is being developed and put in shape for its dangerous mission. In other words, the pools are being formed, the stocks are being drawn toward them and the promoters are taking possession of them under our very eyes and not a finger is being lifted to stay the process. My object in writing this article is to call attention to it and to stimulate action to arrest it or control it or direct it in the interest of the public.

It will be seen that money plays a very large part in this picture. I need hardly say that banks are nothing if not large pools of money—ready money, too. And it would be strange if we did not find banks playing a major part in this concentration of cash and credit by means of the investment trust and holding company.

Independently of the investment trust and holding company, of course, banks have tended to become larger, and, with the rise of branch banking, to spread out over larger territory. Thus, for instance, in California, the Bank of Italy has 299 branches and now the Comptroller of the Currency proposes a change in our banking laws to permit national banks to operate branches within the limits of the Federal Reserve regions, which means interstate branch banking. I see no vital objection to this, provided the banks are kept from falling under the dominion of interests which are not primarily interested in banking as such, but merely wish to introduce banks into their vast systems of corporate control—the banks becoming, in a measure, mere pawns in the game. It is for this reason that I view with misgiving the growth of group banking —often inaptly called "chain banking." The House Committee on Banking and Currency is now making a study of this whole subject of branch and group banking. If I do not misread the signs, that committee seems more or less kindly disposed toward the Comptroller's proposal of regional branch banking. But a grave error will be committed if regional branch banking is permitted without making some provision to prevent holding companies from getting control of these huge regional branch banks.

Branch banking is different from group or chain banking. In branch banking, the branches are merely departments of the parent bank, outlying tellers' windows, extensions of the central bank into distant neighborhoods as a convenience for depositors. The whole thing—main bank and branches—is under a single management, belongs to a single corporation. Not so in group banking. Here each bank is a separate corporate unit, with its own officers and directors. The separate banks are united by a single stock ownership. The stock of all the banks in the group belongs outright to, or is controlled by, a single holding corporation. Or it may belong to a single individual. The banks in the group may be tied together by a very cohesive and close central management, or they may operate as separate planets in a kind of banking solar system. The officers and directors of the unit bank in the group may be vested with very large discretionary powers, or they may be mere dummies. Group banking, in my judgment, is one of the most serious problems which confront our financial statesmen. The chairman of the House Committee on Banking and Currency, when opening the very excellent study which his committee is making of the subject, said that it was perhaps the most serious and far-reaching problem that the government has faced in banking since the historic fight of Andrew Jackson against the Bank of the United States. I do not think that was a piece of oratorical hyperbole. I believe it stated a very sober fact.

This thing has sprung up within a few years—almost a few months—as if by magic. A year ago I discussed it with bankers and found that they knew little about it save in the most shadowy outlines. The American Bankers' Association had no information on the subject, and therefore appointed a commission to make a survey. The result, presented only last summer, was astonishing. That commission found some 273 banking groups of this

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kind I am referring to—group banking, not branch banking. And these comprehended some 1,858 banks with total resources of more than $13,000,000,000. It has penetrated into almost every state in the Union. But it is most active in eleven states—California, Illinois, Iowa, Kansas, Michigan, Minnesota, New Jersey, New York, Pennsylvania, Texas and Washington. In each of these states there are from ten to thirty-four of these groups. The greatest number is found in Minnesota, where there are thirty-four, controlling some four hundred and thirty-five banks—and these the best banks in the state.

The speed with which this system is growing may be noted from the following incident: Last summer I wrote something about this. I find among my notes, made at that time, a reference to the Northwest Bancorporation and the fact that it owned eight banks. That was less than a year ago. I have just read the very intelligent testimony of the president of that bank before the McFadden Committee of the House and find there is a list of ninety-six banks which that corporation now owns!

The interests which control these chains are of three kinds. There are 167 individual financiers each owning a group of banks. They control 1,071 banks, and in one case a single man owns nearly a hundred. Some 28 holding companies control 380 banks. Still other groups are controlled by large banks. There are 78 of this type owning 402 banks. These, the latest figures obtainable, were collected last summer by the committee of the American Bankers' Association. But they are already very much out of date. Many of the big banks operating branches are in turn owned by holding companies. The most important instance of this is the case of the Bank of Italy, which is now owned by the Transamerica Corporation. This Transamerica Corporation is becoming the great giant of the western world. The structure of this amazing insitution is worth looking at.

First we have the Bank of Italy. This represents the amalgamation of numerous banks all over California, which have been bought outright and erected into branches of the Bank of Italy in San Francisco. There are 299 branches. This is what I mean by branch banking.

Next, this bank owns the Bancitaly Company of America, a powerful investment company which owns stock in railroad, industrial and utility and financial companies all over America.

Then there is the Bank of America in New York. It has twenty-eight branches in New York City. These branches are not just little neighborhood affairs with a teller or two. Some of them were once great banks before they were absorbed by the Bank of America—the Franklin Trust Company, the old Atlantic National Bank, the Commercial Exchange Bank, the Nassau National and Traders' Bank in Brooklyn, the international banking house of Blair and Company, the Murray Hill Trust Company.

Then, out in California, there is another bank, the Bank of America of California—a consolidation of two large banks in Los Angeles which in turn had swallowed six other banks. Then there are corporations of all sorts—the Bancitaly Agricultural Corporation, the Bancitaly Mortgage Company, the Pacific National Fire Insurance Company, the California Joint Stock Land Bank. How many more there are since I collected this data some months ago, I do not know. But here is a group of financial institutions, each operating in an important field of finance, three of them among the greatest banking institutions in the world, with 489 branches among them. But all in turn are owned by the Transamerica Corporation. Here, then, are perhaps more than 500 banks which no longer belong to individual stockholders but to three great banks which operate them as branches, and these banks in turn have been withdrawn from the ownership of individual stockholders and have come into the possession of a giant corporate stockholder, the Transamerica Corporation.

One of the largest brokers in Wall Street specializing in bank stocks confirms me in the view I have been outlining, at least so far as banks are concerned. He believes that in a few years all the banks in the country will be formed into large branch-banking groups, and that these groups in turn will belong to holding companies. There will not be left, he thinks, a single individual owner of a bank stock. The holding companies will own the bank stocks and the public will own the stock in the holding companies. The public will, indeed, *furnish* the money for the holding companies. But they will not *own* that portion of the stock which exercises control over them. We have seen in former articles how the insiders will attend to that.

This illustrates how the thing is done. That the investment trusts or companies will be used for this purpose we cannot doubt. There is already too much evidence of the fact. Thus, for instance, the American Trust Company owns ninety-six branches in the San Francisco district. In New York the Manufacturer's Trust Company owns forty-five branches. These two great banks own together almost a billion dollars in assets and 141 branch banks. But they are owned and operated by two different corporations with the entire continent between them. Yet see how they fall in the end into the bag of a big investment trust.

The American Trust Company with its ninety-six branches belongs to the American Company, which owns 99 percent of its stock. The American Company was owned by the Pacific American Associates, Inc. And the Pacific American Associates, Inc. was taken over by the Goldman Sachs Trading Corporation, a huge New York investment trust.

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The Manufacturer's Trust Company in New York, with half a billion in assets and forty-five branches, was controlled by the Financial and Industrial Securities Corporation. And this company was taken over by Goldman Sachs Trading Corporation. Thus, these two widely separated banking systems come under the control of one investment trust.

This is not the only instance, of course, but it is an excellent example of the possibilities of the investment trust as a means of acquiring and controlling banks and banking groups.

It is also an instance of how a large banking system falls into the hands of an ownership which is not primarily interested in banking, but rather in the financial possibilities of a great complex of business institutions in which banks are only one part of the machinery.

It illustrates also, in a most striking way, the futility of the Comptroller's proposal to safeguard the financial autonomy of the numerous trading areas around the country from the domination of New York by the legalization of regional branch banking—that is, the establishment of branches by national banks within the limits of the Federal Reserve districts. Here are two large branch-banking systems, one in the New York and the other in the San Francisco Federal Reserve districts. But both are owned, through a series of investing companies, in New York. The guardians of our national banks will have to come to the conclusion reached by the Interstate Commerce Commission with reference to the railroads—that the holding company defeats control of the road which it dominates unless the Commission can control the holding company along with the individual road. In the case of banks the government should go further. It should absolutely outlaw the ownership of bank stock by a holding company formed to control it, or by any substitute for it or any device designed to achieve the same purpose.

JOHN T. FLYNN.

Why Gandhi Is in Jail

The Situation on the Eve of His Arrest, Summarized in His Letter to the Viceroy

The publication of the Simon Commission's report on India this month lends particular timeliness to this letter to the Viceroy which Mahatma Gandhi wrote on the eve of his arrest. In it he gives a graphic picture of conditions in India as they were then, and are now.—THE EDITORS.

To His Excellency, the Viceroy,
Simla, India.

Dear Friend: God willing, it is my intention on [date left blank] to set out for Dharasana and reach there with my companions and demand possession of the salt works. The public have been told that Dharasana is private property. This is a mere camouflage. It is as effectively under Government control as the Viceroy's house. Not a pinch of salt can be removed without the previous sanction of the authorities. It is possible for you to prevent this "raid," as it has been playfully and mischievously called, in three ways:

1. By removing the salt tax;
2. By arresting me and my party, unless the country can, as I hope it will, replace everyone taken away;
3. By sheer goondaism [thuggery], unless every head broken is replaced, as I hope it will be.

It is not without hesitation that the step has been decided upon. I had hoped the Government would fight civil resisters in a civilized way. I could have had nothing to say if, in dealing with civil resisters, Government had satisfied itself with applying the ordinary process of law. Instead, whilst well known leaders have been dealt with more or less according to legal formality, the rank and file have been assaulted, often savagely and in some cases even indecently. Had there been isolated cases, they might have been overlooked, but accounts have come to me from Bengal, Bihar, Utkal, the United Provinces, Delhi and Bombay, confirming the experience of Gujarat, of which I have ample evidence at my disposal.

In Karachi, Peshawar and Madras, firing would appear to have been unprovoked and unnecessary. Bones have been broken and private parts have been squeezed for the purpose of making volunteers give up salt which to Government is valueless, to volunteers precious. At Mathura, the Assistant Magistrate is said to have snatched the national flag from a ten-year-old boy. The crowd that demanded the restoration of the flag, thus illegally seized, is reported to have been mercilessly beaten back. That the flag was subsequently restored, betrayed a guilty conscience. In Bengal there seem to have been only a few prosecutions and assaults about salt, but unthinkable cruelties are said to have been practised in the act of snatching flags from the volunteers. Paddy fields are reported to have been burnt, eatables forcibly taken and vegetable markets in Gujarat to have been raid-

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ed, because dealers would not sell vegetables to officials. These acts have taken place in front of crowds who, for the sake of the mandate of the Congress, have submitted without retaliating. I ask you to believe the accounts given by men pledged to truth. Repudiation even by high officials has, as in the Bardoli case, often proved false. Officials, I regret to have to say, have not hesitated to publish falsehoods even during the last five weeks.

I take the following samples from Government notices issued from the Collectors Offices in Gujarat:

> 1. Adults use five pounds of salt per year. Therefore they pay three annas per year as tax. If Government removed the monopoly, people would have to pay higher prices and in addition, make good to Government the loss sustained by the removal of the monopoly. The salt you take from the seashore is not eatable. Therefore, Government destroys it.
>
> 2. Mahatma Gandhi says Government has destroyed hand spinning in this country, whereas everybody knows this is not true. Because throughout the country there is not a village where hand spinning of cotton is not going on. Moreover, in every province, cotton spinners are shown superior methods and are provided with better instruments at less price, and are thus helped by Government.
>
> 3. Out of every five rupees of debt that Government has incurred, four rupees have been beneficially spent.

I have taken these three sets of statements from three different leaflets. I want to suggest that every one of these statements is demonstrably false. The daily consumption of salt by an adult is three times the amount stated, and therefore the poll tax—which the Salt Tax undoubtedly is—is at least nine annas per head per year. This tax is levied on man, woman, child and domestic cattle, irrespective of age and health. It is wicked falsehood to say that every village has a spinning wheel and that the spinning movement is in any shape or form encouraged or supported by Government. Financiers can better dispose of the falsehood that four out of every five rupees of public debt is used for the benefit of the people. But these falsehoods are mere samples of what people know is going on in everyday contact with Government.

Now, for instances of official inactivities, liquor dealers have assaulted pickets, admitted by officials to have been peaceful, and sold liquor in contravention of regulations. Officials have taken no notice either of the assaults or of illegal sales of liquor. As to the assaults, though they are known to everybody, [the officials] take refuge under the plea that they have received no complaint.

And now you have sprung upon the country the Press Ordinance, surpassing any hitherto known in India. You have found a short cut through laws, delay in the matter of the trial of Bhagat Singh and others by doing away with the ordinary procedure. Is it any wonder if I call these official activities and inactivities a veiled form of martial law? Yet this is only the fifth week of the struggle.

Before, then, India is overwhelmed by the reign of terrorism which has just begun, I feel I must take a bolder step and if possible divert your wrath into a cleaner, if more drastic, channel. You may not know the things that I have described. You may not even now believe in them. I can but invite your serious attention to them. Anyway I feel that it would be cowardly on my part not to invite you to disclose to the full the leonine paws of authority so that the people who are suffering tortures and destruction of their property may not feel that I, who have perhaps been the chief party in inspiring them to action that has brought the Government to the right light in its true colors, had left any stone unturned to work the *Satyagraha* program as fully as was possible under the given circumstances. For according to the science of *Satyagraha,* the greater the repression and lawlessness on the part of authorities, the greater should be the suffering courted by the victims.

Success is the result of suffering of the most extreme character, voluntarily undergone. I know the dangers attendant upon the method adopted by me. But the country is not likely to mistake my meaning. I say what I mean and think, and I have been saying for the last fifteen years in India, and outside for twenty years more, and repeat now, that the only way to conquer violence is through non-violence, pure and undefiled. I have said also that every violent act, word and even thought interferes with the progress of non-violent action. If, in spite of such repeated warnings, people will resort to violence, I must disown responsibility save such as inevitably attaches to a human being for the acts of every other human being. But the question of responsibility apart, I dare not postpone action on any cause whatsoever, if non-violence is the force the seers of the world have claimed it to be, and if I am not to belie my own extensive experience of its working, but I would fain avoid a further step.

I would therefore ask you to remove the tax which so many of your illustrious countrymen have condemned in unmeasured terms; and which, as you could not have failed to observe, has evoked universal protest and resentment expressed in Civil Disobedience. You may condemn Civil Disobedience as much as you like. Will you prefer violent revolt to Civil Disobedience? If you say, as you have said, that Civil Disobedience must end in violence, history will pronounce the verdict that the British Government, not enduring, because not understanding, non-violence, goaded human nature to violence which it could understand and deal with. But in spite of goading, I shall hope God will give the people of India wisdom and strength to withstand every temptation and provocation to violence. If, therefore, you cannot see your way to remove the Salt Act and remove the prohibition of private salt-making, I must reluctantly commence the march referred to in the opening paragraph of my letter.

I am. Your sincere friend,

M. K. GANDHI.

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The Crux of Progressive Education

The Fourth Contribution to the Symposium, "The New Education Ten Years After"

THE NEW attitude in education is not a denial of the living values inherent in the past, but an attempt to refocus education from the standpoint of the present. It is now beginning to be recognized that education should not be concerned with the mere accretion of information. This truth has been forced upon us by the unmanageable accumulation of facts that science has poured into our laps in one generation. No human lap, it was soon found, was large enough to hold all the data concerning any single subject in the world of today. So man was forced at last to realize that children could no longer be taught in school to carry bulging loads of irrelevant facts. These had then, of necessity, to be thrown overboard, so far as education is concerned, and relegated to their proper place as one of the instruments of existence but not as an end in themselves. As a second step, the world began, in the light of modern science, to seek again for the meaning and purpose of existence and the relative place of man in this unexpected and unexplored conglomerate of worlds.

In short, education is being forced back to its essential function of dealing with human life in all its fluid forms. Immediately, then, the emphasis shifts. If life, more life, is to be the core of education, school organization and curriculum must also be shifted to a subordinate place. Individual children, in all their human variety, must be the living center of our changing schools, and the crux of the problem of our new education moves from controlling the machinery of organization and the collection of facts to creating a living organism, a new society, within the school itself. Such transformation only becomes possible as we begin to study and understand the interaction between the life of the individual and that of the group. This is the essential problem of the new education. And the degree of socialization or individualization current in each country must be balanced by the introduction of the opposite approach.

America's coming-of-age has had to be achieved through the growth of group consciousness. A series of interlocking social, civic, business and cultural organizations has sustained the practical needs and spiritual hunger of widespread millions. Just because America is so group-minded, any questioning as to the positive value of this constant and limited herd life is sure to be a source of irritation. We are still so imbued with a purely group psychology, so completely identified with mass action and reaction, that it is not possible even for our leaders to be aware how typically American this is. Unable to see ourselves as others do, we can scarcely expect to realize how deeply our group ways separate us from the crystallized individualism of Europe.

We may now be in the throes of growing up, but America as a whole is not self-conscious enough to guess it. She faces Europe today with the false pride of a superior adult among a crowd of impractical children. The American bond salesman, with his social evenings of radio talks, prize fights and Kiwanis gatherings, would merely scoff at the suggestion that America had something to learn before it could catch up to the integrated and independent "I" psychology of the European. Our instinctive faith in the power of groups to change the face of the world is still so unchallenged that we are incapable, as a nation, of realizing the strength that may yet lie in a more individualized life.

Since we are a nation of doers, it is much easier to discover the concrete objectives of our many group movements than any conscious formulation of the values from which they spring. For us, activity is more sure and clear than motive. We are generally too busy fostering the factions and subfactions of our own pet organizations to have time to be concerned with the why and the whither. And that is just where many Europeans achieve detachment. They are able to consider more fearlessly and realistically the significance of values. They dare more often to discuss the uniqueness or limitations of their respective countries, even though they may still prefer their own to ours. To many a Spaniard, Frenchman or German such questions exist as vital problems, to be grappled with thoroughly in order to help the growth and development of their own land. This is far less true in America, where economic prosperity has deluded us into an ignorant assurance in fields where Europe is still our superior.

Since the War, many of the leading spirits of Europe have turned with inquiry and concern toward America. Recent economic and social changes have made them aware of the inadequacy of their more individualistic approach to life. And this right-about-face is most obvious in the attitude of progressive leaders in the new education in Germany and Austria. So conscious are these educators, struggling to democratize their schools, of our American development in social education, that they are making their school programs more concrete,

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according to the principles of the "Project Method." They are also increasing our type of self-initiated group activities, in order to combat what they regard as the peculiarly nationalistic individualism of their pupils.

It is almost impossible for those who have not recently visited these schools to realize the change that is taking place there. In Germany and Austria the break with the old regime has allowed the mass to split off into many separate and self-assertive factions. There is, in consequence, much eagerness now to take over and adopt our native outlets of social response, as a method of rechanneling the marked individualism of European youth.

To Professor Dewey, of course, all Europe turns for an authentic and complete expression of this socialized concept of education. Dr. Dewey has given the perfect formulation of the American ideal of group consciousness. While he has in the past said relatively little as to the role of individualism in the play of this group life, he has, in a recent series of articles in The New Republic, taken a firm and unmistakable stand as to the relation of individualism to the society of today and tomorrow, though he reiterates his faith in group consciousness as the lever of our future social state.

For Dr. Dewey, individualism can never be that condition of matured and separate growth still discoverable in the old culture of Europe; nor can it apparently be expressed for him in the germinating strength of those who spend their lives in such seclusion as brings forth art and science for the benefit of society as well as of themselves. For to him the individualism of the past is inevitably tied to the *laissez-faire* economics of Big Business; and this he dismisses briefly as unproductive to the group of our future social order. The new individualism as he foresees it is something quite different. "Assured and integrated individuality," he says, "is the product of social relationships and publicly acknowledged functions."

Here Dr. Dewey is being the American of Americans. Is this the best that the future holds for a more complete and integrated individualism? A dull and gloomy picture, this technological utopia, to those of us who still hope for a richer and socially balanced individualism—the flowering of a more equitable society. In this new world, if man is no longer pitted against man in the purely economic struggle for existence, man will vie with man to create and construct for others as well as himself. A more integrated society would give fuller life to its people; and more highly integrated individuals would in return add strength and power to their own social group. This process of correlating the individual and society would not remain, as in the past, one of conflict and opposition, but would be an opportunity for mutual sustenance. To reduce the power of centered individual development is ultimately to reduce the strength of society. For it is precisely these cross currents of force, derived from the impacts and interactions of groups and individuals, that bring forth visions and build new worlds for the future.

In his essay on Don Quixote and Hamlet, the Spanish writer, Salvador de Madariaga, has admirably stated the extremes of conflict that the individual faces in the society of all ages. He takes Don Quixote as the typical Spaniard, "because he seeks to impress his world on the world," and Hamlet as the typical Englishman, "because he feels in his inner self the pressure of the community." "While the activity of Don Quixote, unused by social life, manifests itself in adventures, outwardly moving spirals which end in falls and disaster and nothingness, the passivity of Hamlet, imposed on him by social life, manifests itself in soliloquies, inwardly moving spirals which screw themselves into him in a quest seeking his soul's mystery. And as in both cases there is a lack of balance between the conflicting claims of the individual and society, both the Spanish individual who tyrannizes society and the English individual whom society tyrannizes, go through the world with wistfulness in their eyes."

But this wistfulness exists in the eyes of individuals throughout the world, of all ages and all times, when they come into conflict with the demands of their social group. To ignore this as the essence of human life seems a puzzling omission in Dr. Dewey's description of his uniformly responsive individualism of the future.

When Señor Madariaga has aligned the Spanish nature with Don Quixote and the English with Hamlet, he has universalized two opposing types that roam the world. Originally, perhaps, pure representatives of racial or national attitudes, they have a wider significance today. For the speeding up of world contacts has reduced the barrier of time and space, and now makes it necessary for us to recognize all types reacting in society, in terms of their human rather than their national aspects.

The crux of education lies, as I have said, in the balance of individual and group values. For the immediate future, the European educator will find that his problem is to adjust the individual to the values of group life; whereas for the American, the problem will be to avoid too great emphasis on group life, and develop an individualism that is socially responsive.

But already one perceives in the more integrated individuals of our own time types that jump continents to come home; a kin to Faust in Japan, a Don Quixote in America or a Hamlet in Greece. The education of the future will be focused on this cross play of myriad types throughout the world, reaching beyond race or nation, and living in constant contact with all kinds of organized group life. Geography will be lost in this world of tomorrow.

MARGARET NAUMBURG.

The fifth article in this series is by Miss Caroline Pratt of the City and Country School, New York City, and deals with the technique of the progressive school in action.—THE EDITORS.

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The Vice Squad Carries On

I: *Mrs. Hammerstein and the Inspector's Men*

THE TRIAL of Mrs. Emma Hammerstein, widow of Oscar Hammerstein the producer, has once more called attention to the circumstances under which women in New York City are convicted of prostitution. Mrs. Hammerstein, a woman of forty-seven once known for her beauty, of which little remains, and her wealth, which has long since melted away, was arrested May 12 in her apartment at the Hotel Winthrop. She was held for vagrancy under Section 887, Subdivision 4, of the New York Code of Criminal Procedure, the first clause of which provides that any person who offers to commit prostitution is a vagrant. Her trial, delayed several times at the request of her attorneys, took place on June 5 and 6.

The case for the prosecution followed the usual routine. Patrolman John McHugh of the vice squad, the principal witness, testified that he had played the part of an *agent provocateur*. Mrs. Hammerstein, he said, had admitted him to her apartment; he had suggested that they "have a good time"; she had demanded $50 and he had offered $30, which he claimed that she accepted. He produced the marked bills as evidence. Three fellow members of the vice squad—three "Inspector's Men," as they are generally called in New York—supported his statements, testifying that they had burst into the apartment after McHugh's entrance and had found Mrs. Hammerstein partly undressed. They possessed no warrant, it is true, but warrants are not required in such cases.

Mrs. Hammerstein denied their testimony. She said that she had been fully clothed during the raid. She said that McHugh had presented himself as a "Mr. Courtley," an associate of the lawyer with whom she was negotiating for a loan of $500. She said that he had insisted on giving her the $30 as an advance on this sum, even though she told him that she needed no money at the moment. The lawyer in question took the stand and corroborated her testimony about the loan. Employees of the Hotel Winthrop stated that she had lived there quietly for five months, paying her bills regularly and receiving very few men as callers. Several people of standing testified to her good character.

In the end, the whole case reduced itself to a question of veracity between Mrs. Hammerstein and her witnesses on the one side and four Inspector's Men on the other. Or, leaving out the minor witnesses, it was a question of whether Mrs. Hammerstein or Patrolman McHugh was lying. In an ordinary court, where the defendant is presumed to be innocent until his guilt is proved, the result would have been doubtful. But this case was being tried in the New York Women's Court, where the procedure is specialized and where the assumption seems to be that all defendants are guilty—or at least untruthful. Mrs. Hammerstein was convicted, fingerprinted, examined for venereal disease, and, on the following Monday, in view of her being a first offender, she was sentenced to one day in jail.

Now, it is well to admit that Mrs. Hammerstein may have been justly convicted. It is also possible to hold, on the face of the evidence, that she is an innocent woman "framed" by the vice squad, as other women have been framed before. There is even a third possibility—namely, that she was guilty of the general offense, but not of the specific acts charged against her by the police. Without a thorough knowledge of all the evidence submitted and all the people involved, it would be presumptuous for anyone to render his own judgment of the case. But the fact remains that even if Mrs. Hammerstein was guilty, her trial holds forth no promise of unfailing justice to the innocent people who may later appear in Women's Court. It encourages us to examine into the general question of how the crusade against vice is being conducted in our American cities.

The New York laws against prostitution are laws with teeth in them. They are often recommended by social reformers as a model to be followed by other states where convictions are more difficult to obtain. And certainly they leave few loopholes for guilty women.

Section 887, Subdivision 4, of the Code of Criminal Procedure is the law most frequently applied. As amended through the efforts of the Committee of Fourteen, it provides that any person who offers to commit prostitution; or who offers to obtain another for the purpose of prostitution; or who loiters in or near any thoroughfare or public or private place for the purpose of inducing, enticing or procuring another to commit unlawful sexual intercourse or any other indecent act; or who receives or offers to receive any person into any place, building or conveyance for the purpose of prostitution or assignation; or who in any way aids or participates in any of these acts or things; or who, finally, is a common prostitute without lawful employment, is a vagrant. Section 150 of the Tenement House Law, also applied in many cases, defines as vagrancy any act connected with prostitution which takes place in a tenement or apartment house. Under either of these laws, persons can be tried without a jury,

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convicted on the uncorroborated testimony of two police officers, and sentenced to the workhouse for as much as two years. They cannot be fined, for the authorities long ago decided that fining prostitutes was simply levying a tax on their profession—a tax which stimulates them to greater activity.

There are many other New York laws applying to prostitution. Section 1146 of the Penal Law describes the keeping of a disorderly house as a misdemeanor punishable by imprisonment for not more than one year. White slavery and pandering, under Section 2460 of the same law, are felonies punishable by imprisonment for from two to twenty years. These provisions, however, are rarely invoked against women; and therefore, in the present article, I shall confine myself to the two laws summarized in the preceding paragraph. They are excellent in theory, and in practice they have resulted in the almost complete eradication of open prostitution from the city of New York. At the same time, they are open to serious criticisms, at least two of which should be met before similar laws are adopted by other states.

The first of these criticisms is that they do not affect the male customer of the prostitute. He has, under the law, committed no offense. The police cannot arrest him as they do in other large American cities; they cannot even hold him as a material witness. This oversight has been severely criticized by proponents of the single standard of morality, who say that men and women should be regarded as equally guilty. Acting on this theory, they have tried to change the law, but their efforts have been met by purely practical argument that the police cannot be trusted; that they have too many opportunities for blackmail and tribute under present conditions; that making the male customer equally guilty would double the opportunity for graft. The proponents of the changed law answer that there is a practical argument on their own side, too. If the male customer were held to be guilty, the vice squad could no longer arrest girls by using stool pigeons to entrap them.

I shall not attempt to decide between these arguments. Their very nature, however, shows that the standards of enforcement are very low. And this leads to the second and more serious criticism of the laws against prostitution.

Under the New York law, a woman can be convicted of vagrancy on the testimony of one policeman, corroborated merely by that of another policeman. It is a notorious fact that policemen's stories always agree; lawyers say that there is a freemasonry among them which prevents them from contradicting the statements of a brother officer, and accordingly the second policeman is rarely called to the witness stand. The accused woman is, in effect, convicted on the statements of one man, even if they disagree radically with her own story and even if she produces character witnesses to testify to her own reputation for truth and virtue. "Women accused of prostitution are notorious liars," say the magistrates, the probation officers and the Committee of Fourteen.

Well, perhaps they are. Perhaps the situation would be tolerable if policemen always told the truth—and if, moreover, their interest lay in procuring even-handed justice. But their interest lies in obtaining convictions and New York policemen are not notorious for always telling the truth.

There are, in New York City, some twenty-three separate vice squads. Seventeen of these squads, consisting on the average of twenty-five men each, are attached to the different inspection districts. Five other squads have a roving commission over the five boroughs, and finally there is a Headquarters Squad of twenty-five men which is charged with the general supervision of the others. In all, there are probably between five and six hundred plain-clothes men whose special duty is the prevention of gambling and vice. Their tasks are easier and more pleasant than those of the uniformed patrolmen. Most of them are eager to retain their positions; and, to retain them, these Inspector's Men must make arrests. They have a sort of vested interest in the conviction of prostitutes.

Unfortunately for their hopes of advancement, such arrests are not easy to make. There are at present very few real prostitutes in New York. A survey by the American Social Hygiene Association in 1920 showed that there was probably not one open house of prostitution in the city. Street solicitation is rapidly dying out; last year only 155 women were charged with this offense. The few real prostitutes who remain are either, in very rare cases, so well protected by their friendship with politicians that officers are afraid to arrest them, or else they ply their trade in such a clandestine manner that it is difficult to obtain evidence against them. . . . But evidence can be manufactured. If a woman suspected of being a prostitute cannot be surprised in a guilty act, she can perhaps be tempted into it by one of the Inspector's Men—preferably a young man well provided with money. If he fails to win her confidence, he may possibly apply for the help of a stool pigeon. If the stool pigeon also fails, then, as a last resort, she can be "framed."

Now, the most serious criticism against the present laws of New York state is that they make framing all too easy. There can be no doubt that the practice exists. On the other hand, it is impossible even to conjecture how many or what proportion of the women defendants suffer from it. The women themselves generally prefer to keep silent—to submit to being fingerprinted and placed on probation, even if necessary to serve a term on Blackwell's Island—rather than to appeal to a higher court and have their reputation ruined forever by newspaper publicity. The people concerned with Women's Court differ widely in their statements. Speak to the magistrates or the probation officers and they will tell you confidently that an

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innocent woman is almost never convicted. They will assert that even these who protest their innocence most loudly on the stand will later admit their guilt. Speak to the newspaper reporters around the court, speak confidentially to the lawyers or to the women themselves, and they will express complete cynicism about the police, the guilt of the defendants and the system as a whole. Even the subsidized social organizations that deal with Women's Court are divided on this question. The Committee of Fourteen stands squarely behind the magistrates and the police. The Society for the Prevention of Crime holds that many innocent women have suffered by the system, and it has done its best to redress some of the more glaring wrongs.

The truth, probably, lies somewhere between the two extremes. Only a very few of the Inspector's Men—most of them survivors from an older era—will descend to "framing" absolutely innocent girls. But many of them—I am told by people familiar with their work—will act on their moral certainty of guilt. If they become convinced that a girl is a prostitute, and if they cannot obtain proof enough to convince a magistrate, they do not hesitate to invent the evidence on which she is later convicted. In effect, they act not only as *agents provocateurs* and arresting officers, but also as judge and jury. And the trouble with this neat system of theirs is that "moral certainties" are not always in accordance with the truth. They may be based on letters written to satisfy a personal grudge. They may lead—they have sometimes led in the past—to jump-raids on the wrong apartment.

Last year in New York City, 3,294 women were charged with prostitution. Of this number, 158 jumped their bail, 804 were acquitted and 107 cases were still pending on December 31. The number of women convicted was 2,225, or 74 percent of those brought to trial. Were all these convicted women guilty of prostitution? Well, in any case they were not hardened sinners, for statistics show that 73 percent of them were first offenders. On the other hand, when they were physically examined after their conviction, 53 percent of them were found to be suffering from venereal disease in a communicable stage; and since this is about the percentage of disease among prostitutes, one might roughly conclude that most of the convicted women were guilty. But were they guilty of the actual offenses charged against them? This is a more dubious question. To the Inspector's Men it may seem purely academic, but it ought to be answered to the satisfaction of the public. For, unless the police can be forced to respect the rights of the guilty, they cannot be trusted to protect the innocent.

MALCOLM COWLEY.

In his second and concluding article, Mr. Cowley will describe the methods followed in Women's Court and will discuss a number of cases in which the evidence seems to show that women were convicted on perjured testimony.—THE EDITORS.

Washington Notes

AT THIS moment the troubles of the London Treaty in the Senate seem considerably exaggerated, and practically everybody expects ratification early in July. None the less, so strong is the desire to thwart Herbert in whatever direction he turns, and so singular is the ineptitude of the White House legislative liaison officials, that there is a possibility of adjournment without action, special session or no special session. I do not think this likely. With the tariff out of the way, a treaty vote can be forced, I think; but there is no use in blinking the possibility. It seems incredible that fifteen men (and there are no more anti-Treaty votes than this) can block the purpose of eighty-one. It has been done, of course, but in this case they could not if the eighty-one were determined to have their way. The Treaty's real danger is the indifference of its Senate advocates, not the hostility of its opponents. Its ratification naturally depends upon Democratic and Progressive votes, and in Democratic and Progressive ranks there is an intense reluctance to let Mr. Hoover get anything through the Senate for which he can claim credit or which will be soothing to his troubled spirit. It is this feeling, which has grown with the months, that breeds indifference to the pact among so many of those who will vote for it. They want to have it ratified, but not in a way to please the occupant of the White House. Accordingly, as previously indicated in this place, the purpose is to damn the Treaty by faint praise, to give its foes every chance to smear it, to defend it without fervor, and finally, in pushing it through, to say to the country, "Here it is—a poor thing, but better than nothing."

Of course, this attitude (not a very creditable one, when you analyze it) plays directly into the hands of the little group of scuttlers, and lends them hope that, through a combination of dilatory tactics, lack of a quorum, hot weather and the little bag of tricks specially designed for such occasions and owned by the Honorable George Higgins Moses, that loyal friend of the administration, the whole business can be postponed until next December. I repeat that this is not a likely outcome, but it is a possible one. Incidentally, the hullabaloo kicked up by that flaming California authority on foreign affairs, Hiram Johnson, over the refusal of the State Department to transmit all papers and memoranda in its possession, is one of the ridiculous phases of the fight. It is also a thoroughly insincere phase, designed wholly for delay, it being perfectly well known by the Johnson group that all the memoranda cannot be transmitted and should not be transmitted. Further, this group knows that transmission of such memoranda would be an indecent breach of confidence; that it would not affect the Treaty, but would dreadfully embarrass the administration and render it impossible for other nations to negotiate with us in the future except upon the theory that we could not be trusted. However, the demand for the papers has resulted in the leakage of some interesting information about those withheld, of which a general idea may be given without damage.

I am informed by "one who knows" that among the memoranda are a considerable number of notes from the

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inimitable Dawes, now Ambassador to Great Britain. It seems that the inimitable Dawes was not content with merely sending information on the state of affairs to the State Department, nor with merely being the channel of communication for the other delegates. He accompanied his reports and messages with an abundance of colorful comment of a decidedly personal nature, not always complimentary to the individual commented upon. None of this was important. Actually, Mr. Dawes functioned in a trivial way during the conference. He was not one of the important factors in the situation at any time, and to a considerable extent did not know what it was all about. Nevertheless these breezy Chicago comments upon the principal personalities of other nations represented at the conference are among the papers. To anyone who knows Charley and his cute little ways, the fact will be accepted that, while his comments were unimportant and unnecessary, they have an extraordinary news value. Their publication would strain relations and diminish good will between this and several other countries more than would the passage of a tariff bill. It is actually difficult to think of a way, short of war, in which bad feeling could better be promoted.

Speaking of Dawes, it is no secret here in Washington that so far as the English are concerned, he has not personally endeared himself to them. In fact, if what I am told by those who have been in a position to judge is even partly true, he is personally the most unpopular representative we have had over there since the days of the late George Harvey. His bluff, brusque, pipe-smoking, back-slapping Western ways do not appeal to them. His sense of humor, displayed at the dinner at which he hired an actor to impersonate a drunken waiter, might have gone over big at the annual banquet of the Chicago Board of Trade, but it left the British nobility, male and female, cold—and stunned. It isn't worth while reciting other little incidents of the kind that drift in here. The point is that they do not seem to love Charley very much over there. He has not quite hit it off with them, and he is not very happy. Chicago friends of his who have visited him in London are convinced that he will not stay there later than next March. Two years, they say, will be quite enough for Charley. His heart yearns for Evanston, and LaSalle Street, where they appreciate him, where dignity isn't demanded, and a he man can be himself without having a lot of "stuffed shirts" look shocked.

Of course, there are those who believe that the real reason Charley will return after two years is in order to get himself into position for the 1932 presidential nomination, should there seem to be a chance for him. It is undoubtedly true that he silently carried quite a load of disappointment over the fact that in 1928 at Kansas City the "break" did not come his way. There is no doubt at all that the anti-Hoover primary fight of that year was largely fomented by Mr. Dawes, and—a good many have always believed—financed to a considerable extent by him. The belief was then, and still is, that Charley, though tightly tied up to Lowden, always had hope that a deadlock, instead of "drafting" Coolidge, would turn the convention toward him. How well founded is the present idea that he seriously thinks about himself as presidential timber for 1932 it is impossible to say. Ordinarily, one would think his head would be too clear for this kind of dream, that he would recognize the futility of it. That astute little politician up in his new Northampton house recognizes it. Not long ago he said to a friend who touched on the subject of Coolidge for 1932, "Either Hoover will be reëlected or there will be a Democratic President." In other words, there was no use talking about nominating anyone else. At bottom every practical politician knows that, barring some utterly unforeseen contingency such as Mr. Hoover's death or his refusal to run again, this is true. Unforeseen contingencies, however, do sometimes occur, and Charley is the sort who never overlooks a bet. Also, once that presidential dream has been harbored, it never wholly disappears. It lives forever in the heart. Look at Jim Reed today. Could there be a better illustration?

Washington. T. R. B.

Mr. Throckmorton's Revue

Change Your Luck. George M. Cohan Theater, June 6, 1930.

THE NEGRO spirituals in "The Green Pastures" are very pretty in the choir style; almost anybody would grant that. They lift the performance and carry it along in a kind of lyric current that means much in its success. But never since the beginning of the play have I seen a Southerner who was not annoyed, to varying degrees, at this presentation of the Negro spirituals. For to many of these Southerners, to whom spirituals were mother's milk, this way of singing them, those light soprano voices and that oratorio pointing up, was so false that nothing else in the evening could repay one for such a deficiency. Lately I have heard two Southern authors, prize-winning, big sellers and born surrounded by Negroes, express a sense of outrage and boredom that would surprise any box-office success out of its wits. To these authors not even such scenes as the beautiful death of Moses could balance this sophisticated oratorio prettiness and pious poignancy, all too often from carmined lips and cheeks and Northern voices. I had to talk these objectors into a mere willingness to let the show, which in some scenes I admired so much, go in peace.

So long as a play is selling out, in part deservedly, as with "The Green Pastures," or, as in some cases, not deservedly, such criticisms from such people even as might be supposed to know, mean little, as we all agree. We all know that a play is written to sell out. And yet it is worth noting what are these shortcomings and falsifications that mar the spirituals in "The Green Pastures" for such people as know anything about the way they have always sounded in their own country and should sound anywhere.

The trouble with the spirituals in "The Green Pastures" is that first of all they are without the right amount of bass voices, plus the seconds, men's voices following the basses. Such a lack changes the whole character of the effect. There are more varieties of voice needed also, more metallic voices, more white tones, more swell and diminution in the rhythm. The spirituals in "The Green Pastures" sound much too much alike in impression, one after an-

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other, too tame, too expected. They are monotonous in their respective emotional effects. To a Southerner with any ear they are wild and haunting only because they arouse the memory of old days, and of old singing that was full of all the sweetness, unpredictability and wildness in the world. This present Broadway effect in "The Green Pastures" is like seeing a Greek Bacchic dance done by college classes of young ladies, or an African dance performed at a Methodist ice-cream supper. The part played by these spirituals, however wrong they are, in the play is even now astonishingly effective; but, if you know the truth, they make surprisingly little impression on the whole, especially in the places where that cultivated young lady on your left stage goes, in so Christian a rapture, far, far up the cultured scale that academies inculcate. Alas! What terrible exaltation there might have been! And yet it is likely that the real thing in this world has a poor fighting chance against a comforting version of it—fire without the burn.

One of the two main reasons for writing of Mr. Cleon Throckmorton's all-colored revue lies just here. We may cite a single instance of it. Most of his scene in the undertaker's bootleg parlor is taken up with the whole company's singing a chorus that is either built on some spiritual or else is close to the veritable Negro quality. The applause, on the night I saw this revue, was slight for this number; the audience was looking for things it had always known, bare legs and comic dancing. Nor was this thing merely what they had heard in choirs and choruses, plus an added sweetness of the Negro voice. But the singing had, nevertheless, the right tone and range, the right wildness and complete beauty of strange and haunting sound. Since the singing many years ago at Mrs. Emily Hapgood's production of Mr. Ridgely Torrence's Negro plays—hers was the first of such ventures in Negro production that I know of, though little credit in this, as in the cases of stars and designers whom she got on the right track, has ever gone to her—I have not heard such authentic sounds, such sounds as had the power to bring back summer nights in the South long ago, and to turn the heart, baffled and astonished, back to the passionate precision of the real.

Mr. Throckmorton should, on the whole, be advised to quiet and vary his revue somewhat. The orchestra appears to be lively, but now and again too loud, drowning out the singers or the words; and the numbers or performers or scenes, as the case may be, pour in, one after another with a gusto faster than is necessary. A single and expert dance coming in, as it once did, all rhythm, little volume, no crowd, no adequacy of stage supply, was a genuine rest to us all, and indicated how the revue could be changed to have a rhythm of mass effects and single, less energetic, stretches. The attempt at something of a colored musical comedy added to the revue was, as might be expected, rather poor. No poorer than the usual musical-comedy romance on Broadway, but no better; which is a poor record for any fairly good Negro entertainment. In such a love story all the quality and resource of the Negro nature is neglected and the outcome is paler thereby.

Essentially Mr. Throckmorton is trying to bridge what lies between the old Negro minstrel and the present-day Negro revue. The result of his creative effort is more than encouraging. His attempts at an arrangement of the Martin story, or of certain old minstrel elements, are sometimes good and sometimes not. The entertainment as a whole is one of those in town that I would most advise a friend to see.

No notice of this production should be ended without due mention of the setting. Steadily Mr. Throckmorton, since his Provincetown days, has grown in his décor, filled out his designs with more and more security and style. His setting for the undertaker's shop is very stylish in color and design, very beautiful in a curious dramatic sense, which includes a quality both satiric and poetic. His lobby in the Sundown Hotel is witty and highly decorative, and the backdrop of that scene on the lawn of Evergreen Pepper's house is executed in a manner that is charming and quite fresh in theater scene-painting. The undertaking parlor, indeed, is, more than I have been able to indicate, distinguished, and belongs in a theater where such talent is noted, taken seriously and, if possible, understood.

STARK YOUNG.

A Portrait of Bill Williams

BILL WILLIAMS is the male invention the poet Phelps Putnam makes us follow about hell, and one of the recent boons of American literature. Putnam's brilliant poems introduce several similar characters, all with good New England names: Bigelow Hasbrouck, Smollett Smith, and Ames, "hard-boiled and romantic" all, ballad-makers, wine-bibbers, scornful, and some ten years out of Yale; and half the shining performances in the booklet "Trinc" record their profane and singular encounters. Bill nevertheless is the main attraction in the crowd, to his discoverers as much as to ourselves. Ames, Putnam merely mentions in a promissory way, together with a certain mysterious Marjorie. Smith figures as a foil at the party where Hasbrouck confesses he has eaten the mystic rose, "rose and rosette," in Springfield, Massachusetts, Hasbrouck himself we meet but twice, and without special inspiration.

He appears to be an abstract or psychic sensualist, witty, of a trumpet-like forthrightness like all his bunch; but slightly Mephistophelian, even bestial; and the auguries point to a bad end, the murder of a mulatto or some other cold experiment. Bill has a little of Hasbrouck in him. The relation of the two is that of Faust to Mephisto. Which is to say that Bill shows balancing traits, notably the capacity for direct emotion eluding Hasbrouck; and his possession of them accounts for his hold on his discoverer and the comparative fullness and complexity with which he figures in his poetry.

Who is this king of glory? Bill is one of those inventions that "make one's acquaintances pale by comparison"; but it is singular how slight is the direct information we possess regarding him. Putnam's single advice is to the effect that Bill is a bastard, abandoned by his father "to that darkness which was his hell"; no blinding illumination. In his recent, impassioned "Ode to the Daughters of the Sun," Bill himself grows a little more confidential:

I was born to dark hysteria
And my misty heart among a hundred hands

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Was broken up and eaten and the blood drained,
And my bride and children cherished and forgot,

he tells us; and later adds that his body

was trained for balance, taught upon the back
Of a gallant, speedy foal named Lexington,
With tender ears and a clean, decisive neck.

Once, he even pictures it half humorously as,

bold and overcome,
Poor and forsaken in its flowering,
With its thin legs and the barrel of its chest,
And elegant, with stubby, nervous hands,
A pug retired with a ruined heart,
And even in hell at ease, though desperate.

That is all. What else we know is inferential.

This indefiniteness may be responsible for a certain impression that Bill is a descendant of the J. Alfred Prufrock and Apeneck Sweeney familiarized by T. S. Eliot. The belief is most fanciful. Confirmatory evidence is entirely against the assumption of anything closer than cousinship. Bill may share Prufrock's middle-class *malaise,* but his cooler, less self-indulgent control of it reveals a better blood and breeding. While the natural man is strong in him, his old Adam is not the unregenerate, loutish one of Sweeney. Still these distinctions are ultimately incapable of absolute proof, quite like our assumptions of Bill's poethood and background of Yale. These, too, can be justified only by the rationality of the belief that a language like Bill's, clear as a well lipped trumpet-call, harmoniously linked, curiously ejaculatory and both tough and elegant; is strongly indicative of a poetic gift and practice; and that mixed innocence and dignity, class and juvenility, traces of an education informally assimilated, emotional fraternalism—above all, freedom from the fatally bleaching effects of Professor Babbitt's soap—betray the touch of Yale.

Yet we know Bill, accepting him as unquestionably as though we knew all about him. His vagrancy in hell "without a guide" and with cock-feathers well afloat, cause immediate identification. The nature of his hell increases it: we are all familiar with it and from time to time find ourselves in it again. The spot is really not very different from our common world, containing neither devil, brimstone lake, nor spectacular torture of the damned, but industrial cities, and well adjusted people, and residential districts,

where the apartments thin
To suburbs, and the trolley-cars
Move jerkily along the oily street
By clustered corners sellings drugs and meat
And real estate and tailoring and tinned
Denatured food, and—hutches, where
The rabbits breed the images of God.

In fact, in one instance, Putnam identifies the center of this limbo with Boston, Massachusetts, long held to be the hub of our universe. One characteristic, none the less, distinguishes it from the daylit world. There is no warmth or light in it. The first merely bites the flesh till it "grows cowardly with burns"; the warmth of the heart produces suffering, only; the miracles, developments and fruitions of sun are withheld from the damned. There is no visionary guidance for them. Bill wanders; the noisy crowds roam in darkness; and where trees bloom, gallant young men and women with witty tongues and gracious hearts are hung above amphoras of gin by nooses "that strangulate the will." There is light sufficient only to disillusion, and help the prisoners to a laughter and ribaldry that make the best of a hopeless situation. The "most exclusive club" of *enfants pendus* amuse themselves with new shudders, but have no clear counsel for Bill. "The acreage of hell is not his home," they tell him, but cannot point a means of escape.

Bill meanwhile comes ever closer. He himself is part of this Yankee limbo, sharing its benightedness and cold. He searches vaguely for an object not yet revealed. His perceptions are ironic; his curiosity is deliberate, poetically humorous phrases are sharp and derisive. It is true that he is chivalrous, a latent and ever ready enthusiast: there is a fine cordiality in his attitude to the hung-up children; and his approach to the miserable women reveals a capacity for sympathetic suffering. We like the passionate impulsiveness with which he closes the lamenting mouth of an amorous victim with his own. Still, it is evident that his impulse is only that of pity, sympathy with womankind, perhaps a half-conscious desire to atone for some obscure guilt; at most a desire to "save." He finds his ecstasy in pain, as Hasbrouck his in alcohol.

But while "Trinc" takes Bill no further, the recent "Ode to the Daughters of the Sun" shows him in a stronger light and on a keener scent. Creative force, lingering on in marvelous, firm, poetic English speech, itself like sunlight, has lifted Bill from the darkness and set him among realities. Heat has given the hobo a job of poetry; heat has "curled its enormous tongue around his thighs." There is a fiery connection with an objective reality called "the daughters of the sun." But the consummation is partial, only. Bill has got burnt again, and his gratitude to the power that drew him from the dark and cold is mixed with resentment and defiance. He feels the sun has mocked him: we gather that he thought it would realize a pattern of existence, preconceived on slightly messianic lines, of irresponsible enjoyment and salvation. On earth and out of hell, he is still searching for an attitude and rationale, thinking to find it in the activity of "building a house according to our strength"; but still but half in sympathy with the flow of things. Evidently he is still unaware that creation requires a responsible coöperation with the Creator.

Precisely the perplexity in which Bill still finds himself serves at last to justify the hypothesis concerning his identity long nourished in us by his adventures, and we conclude that the Bill Williams of Phelps Putnam is no other than the personality-in-the-making. He is the demi-individual. His equal maladjustment to the plane of the unindividualized who live in the common dream (hell), and to the plane of those who make and lay hold on life (creative sun), are inevitably indicative of it. So, too, the burns with which all he touches afflict him; and the most ordinary patronymic covering a most uncommon psyche; and the conviction that the sun has made him promises;

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and the boldness and verve amid bewilderment and dereliction. To be sure, this personality-in-the-making is directly related to his discoverer; made in his image. Putnam lets this invention of his utter words that are as much his very own as his character's. Precisely this particularity makes Bill general. All specialties are related: the most collective, communal entity is, after all, the individual. We have a common contact in Bill. And in living with him, awaiting his complete integration and discovery of his objective, we feel the healthy promise of a whole community poor for want of great personalities; still full of the pain of undeveloped ones.

But how he came to be; by what imaginary feat a fiction can make us hope for it as we do for ourselves, only the estheticians can tell us. Sufficient for us is the statement that Phelps Putnam is a poet, a very complete one.

PAUL ROSENFELD.

A COMMUNICATION

Judge Lindsey and the Colorado Courts

SIR: So many otherwise fair-minded liberals seem critical of Judge Ben B. Lindsey of Denver in relation to his recent disbarment by the Colorado Supreme Court, that I ask the privilege of putting to your readers the exact facts based on a careful examination of the records.

On the face of the opinion of the Colorado Supreme Court, Judge Lindsey stands condemned for unethical conduct in accepting money for a services rendered in a case outside his court. Under Colorado law a judge is prohibited from acting as an attorney. The Supreme Court held that he had so acted.

On such an issue, the average person assumes that a decision of a supreme court must be right; but no such assumption is safe in a case affecting Judge Lindsey. He has for years aroused such stormy opposition, and his reform crusades have antagonized so bitterly the leaders of bar and business, that prejudice is bound to enter into any issue involving him. In fairness to him and to his work in the Juvenile Court, the facts of the case deserve careful statement. What are they?

Judge Lindsey was disbarred in Colorado on December 24, 1929, by decision of the Supreme Court for having violated the law prohibiting judges acting as attorneys. He was found to have accepted fees totaling $47,500 from Mrs. Helen Elwood Stokes and her New York attorney, Samuel Untermeyer, for work he did for her in New York in 1926 in securing for her children some three million dollars from their father's estate. The father had disinherited them.

Judge Lindsey, for his part, admitted the work and the receipt of the money. He maintained that he had acted, not as an attorney, but as the lifelong friend of Mrs. Stokes, a resident of Denver; that the services did not involve his appearance as an attorney, and that he did not arrange to be compensated for what he did. The money was sent him as a gift in appreciation for his services, Mrs. Stokes desiring to settle on him a "pension" of $200 a month for life. The gift was approved in advance by the Judge of the Denver Probate Court in charge of the estate.

To understand this conflict of view—fee or gift, attorney or friend—Judge Lindsey's relation to the Stokes case must be stated. There is no dispute as to the facts. In 1920 Mrs. Stokes filed a petition in Judge Lindsey's court, asking for the guardianship of her two children because of trouble between her husband and herself. Judge Lindsey found the children "dependent" within the definition of the law, and gave them to her. W. E. D. Stokes died in May, 1926. His will left nothing to the two children. Mrs. Stokes decided to contest. She first asked Judge Lindsey to act as the general guardian of her children in New York City—a perfectly proper request—but he declined because he felt the mother should so act. She then asked him to go to New York in his summer vacation of 1926 to help negotiate a settlement of the will case out of court. Judge Lindsey joined Samuel Untermyer, already selected by Mrs. Stokes, in this undertaking. In order to give Mrs. Stokes legal standing as the guardian of her children's property, Judge Lindsey helped her secure guardianship papers from the Probate Court in Denver. He entered orders in his own court to aid her in so doing, though his jurisdiction had ceased when Mr. Stokes died. The orders were merely directions to her to do what she had a legal right to do anyhow, and therefore had no legal force. Finally, when the Probate Court was later asked to approve payments from the estate to Mrs. Stokes—payments to which she was entitled as guardian—in order to make her gift to Judge Lindsey, the Judge was unwilling to accept the gift until it *had been approved by the Judge of the Probate Court.* The Probate Judge in the fall of 1926, fully understanding the nature of the payment and of Judge Lindsey's services, approved the order. Nothing was concealed. It was all a matter of record. Nobody raised an issue of impropriety.

It was not until the following year that the issue was taken up by a personal enemy of Judge Lindsey's, a Denver lawyer. He was the man who had complained to the local Bar Association when Judge Lindsey, after his ouster as judge of the Juvenile Court in July 1927—a year after the Stokes will case—burned all his confidential records of children's cases. The Bar Association cleared him, agreeing that they were not legal records, but the judge's personal memoranda which he had a right to destroy. Balked in this, and determined to make further trouble for the Judge, this lawyer in the fall of 1927 filed with the Grievance Committee of the State Bar Association the complaint concerning the alleged illegal fee, asking for Judge Lindsey's disbarment. This committee was admittedly hostile to the Judge on old scores.

Curiously enough, the State Supreme Court, which ousted Judge Lindsey from the Juvenile Court in July, 1927, holding that the opposing candidate (nominated and backed, by the way, by the Ku Klux Klan) had been elected in November, 1924, held in the fee or gift case that he was still the judge when he received the money from Mrs. Stokes—which was two years after the election! Incidentally, it should be noted that Supreme Court Judge Whitford, who wrote the opinion disbarring Lindsey, is his old political enemy.

In defense of Judge Lindsey on the record stated here, it should be pointed out that under Colorado law, what he

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did for Mrs. Stokes in filing papers in the Probate Court in Denver could have been done legally by any layman. It did not, therefore, constitute practising law. It was only what he had done in many cases for other mothers. Moreover, what Judge Lindsey did in New York, where he was not licensed to practise law, was done as an old friend who had knowledge of the facts and the law. The Colorado Supreme Court itself, in another similar case involving the same statute, said: "The statute clearly refers to the practice of the law as it is generally understood; that is to say, to practice in courts." (People vs. Class, 70 Colo. 381.) Judge Lindsey did not go before any court in New York.

Finally, under Colorado law, Judge Lindsey could have been appointed guardian of the property of the Stokes children, as Mrs. Stokes urged upon him. As such he could have accepted fees as guardian with perfect legality, if not propriety. Therefore, to charge him with an illegal act in doing for the guardian outside a court what he could have legally done himself as guardian, is to reduce the charge to absurdity.

It should be clear from this recital of the facts that the Supreme Court twisted them out of their motives and context to make a technical case. And this is emphasized by the action of the California Bar Association, which passed on the same set of facts when an effort to disbar Judge Lindsey in that state followed the Colorado decision. The Disciplinary Committee and Board of Governors, after reviewing the evidence, refused to file any complaint against him, and held that the charges on which he was disbarred in Colorado were without merit.

New York City. ROGER N. BALDWIN.

CORRESPONDENCE

A Reviewer Answers Back

SIR: In a letter published in The New Republic of May 14, concerning my review of Father Ward's "Philosophy of Value," Mr. Wubnig makes two objections. He says, "It is manifestly absurd to speak thus of realism," and, "The pragmatic approach is somewhat different, but has none of the solipsistic implications Mr. Morrow suggests"; and he proceeds to read me a lesson in the locus of value according to realism and pragmatism. Where did Mr. Wubnig discover me suggesting "solipsistic implications" in pragmatism? They certainly were not in the review, and my personal preference is for such a sufficiently objective theory of value as Professor Dewey's. As for realism, all that I said of it and pragmatism was that, in contrast with Thomism, these philosophies conceive the object of value to be affected by the experiencer. To distinguish among the various realist and pragmatic theories of value was quite irrelevant to my point; I was only interested in pointing out what they had in common against Thomism. The most naïve realist, such as G. E. Moore, does not, when he says that value is a quality of the object, mean what a Thomist means when he says that value inheres in the object, since for Moore the existence of an experiencer greatly increases its value. Whereas, for a Thomist like Father Ward, the value of an object is utterly independent of an experiencer.

I then said of Father Ward's theory that "such a conception of value has been dictated to him by Catholic dogma." Mr. Wubnig objects to this also, but then he must have missed the whole point of my review. For, as I wrote, trying to point out the implications of a realist or pragmatic theory of value, of any value theory which would make value at all dependent on the experiencer, "If objects acquire value, if man can construct values, then man is adding to the sum of good in the universe; similarly, if values are not antecedently in the object it would follow that God, if equivalent to value, is dependent on human consciousness." Father Ward's personal experience *may* have indicated to him that value inheres in the object. My point was that if experience had indicated anything else to him, he could not accept it and remain a Catholic.

Brooklyn, New York City, N. Y. FELIX MORROW.

The Humanist War Goes On

SIR: In the recent controversy everyone has quite neglected one important use to which volumes of Humanist criticism can be, and indeed are, put—the use of these works as treasure-houses of opprobrious epithets. . . . It is impossible to underestimate the value of Babbitt's and More's criticism for this purpose. I once knew a gentleman in Boston who found himself in an apparently inescapable dilemma, in that he wished to appear a person of wide acquaintance with literature, but had neither time nor inclination to read the literature which would make him really such. He got out of this predicament very neatly by purchasing "Rousseau and Romanticism" and "The Demon of the Absolute," and by studying them thoroughly, he was then able, when Dos Passos was mentioned, to say he read very little Dos Passos because his books were only "explosions in a sewer"; when Wilde was mentioned, to say the same of him because he epitomized "the divorce of art from ethical reality"; when Whitman, because of the "animality" of this "cosmic loafer"; when Poe, because he was a "hyperesthetic romanticist"; when Goethe, because of his "reversal of traditional wisdom" and "sham solution" of "the problem of happiness"; *et cetera ad infinitum*. Thus, by reading only two books, my friend was enabled to pose as a profound student of prose and poetry. We should not speak lightly of a philosophy which is thus able to reconcile the seeming irreconcilable and create a royal road to learning.

Indianapolis, Ind. JOHN CHARLES MCKINSEY.

No Gentleman to Guide Her

SIR: Although in no sense a feminist, I cannot stand tamely by while women are censured by Miss Frances Perkins in the May 7 issue of The New Republic just because they *do*, in reality, "smoke like gentlemen."

Surely it is no trade secret that dressing-rooms in men's clothing stores are equipped with complete accessories for the smoker, and what is more, men, presumably even gentlemen, gratefully and unremittingly bask in the softened outlines of tuxedo or business suit seen through a thick smoke-screen.

One of the major problems of street-floor sections of department stores is the man who insists on smoking even after he has been requested to discontinue his cigarette, and who, if worst comes to worst, will leave the shop in high dudgeon without making a purchase rather than part with the last measly inch.

Women may encourage fire risks in many ways, and undoubtedly often do, but we shouldn't forget that they have patterned their smoking habits after the only models they have had.

New York City. ANNABELLE GIVEN.

Teaching the Goose Step

SIR: Professor Bode's article in the June 4 issue of The New Republic has one great excellence. It very definitely and clearly describes the vagueness and confusion in our progressive educational theories. But it has one great fault. Professor Bode says, "The chief defect in American education today is the lack of a program, or sense of direction." This is not true. American thinkers in the field of progressive education and American progressive educational theory have no program, or sense of direction, but American education—the American school system as a whole, from the kindergarten to the university—has a program and a sense of direction. The program of the American school system is the training of its youth to become a docile, unprotesting and obedient part of the social web of American nationalistic, capitalistic and imperialistic society.

New York City. MARTIN WOLFSON.

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"Parity for Constitutional Amendments"

SIR: I should like to propose one more solution for the vexed question of prohibition. The plan would be called "Parity for Constitutional Amendments." This means that those who believe in it will try to elect Congressmen intelligent and fair enough to vote as much money—but no more—to enforce the Eighteenth Amendment as is appropriated to validate the others, notably the Fourteenth and the Fifteenth. The advantages of this plan are:

(1) The adoption will prove that we hold our glorious Constitution so sacred and perfect that we consider no one provision more important than another.

(2) It provides a moral-sounding slogan for not spending money and, in general, doing as we please—a principle dear to every right-thinking American.

(3) It leaves local authorities as free as ever to fine and imprison those who sell bad liquor, or who have not contributed to the party in power.

(4) Like most other sweeping and infallible cure-alls, it will change existing conditions only to an imperceptible degree, if at all.

To sum up: this proposal seems to me to be modest, workable, economical, moral, patriotic, and at the same time, liberal and conservative. Can as much be said for the Volstead Act and the Jones Five and Ten?

Nashville, Tenn. D. C. CABEEN.

Shshsh!

SIR: Hush! Hush! There are two rumors hereabouts: First, that President Hoover is seriously considering dismissing his Cabinet and appointing Al Smith general manager of the administration. This on the theory that government is the biggest business of the country, and big business always utilizes the best ability available. Second, that the papers now publishing Will Rogers' daily dispatches are seriously considering the substitution therefor of excerpts from Mr. Hoover's campaign speeches. This on the theory that, in the light of what has happened and what is happening, they are really the funniest utterances of the present century—and besides, they are cheap!

West Newton, Mass. EDWARD MOORE.

More About China Famine Relief

SIR: I am glad to be set right as to the intention of the China Famine Relief Committee to appeal to everybody, and as to the many channels of publicity the committee has utilized. But isn't there something still to be explained?

Major Lively says, "Few rich people have contributed." Why not? There must be a reason for such unanimity among our rich people in turning a deaf ear to an appeal on behalf of millions dying of starvation.

Is it of a piece with the decision of the Red Cross not to extend aid? The adverse report of the Red Cross Commission on China stresses misgovernment, banditry, poor transportation and overpopulation. This last, as a reason for withholding aid from the starving, is so cold-blooded that one would think it would call forth protest on every side. But it seems that anything can be said acceptably if accompanied by "sympathizing deeply, as we do. . . ."

And as to the misgovernment, banditry and poor transportation, how different they appear in the report of the Red Cross and that of the China Famine Relief! The Red Cross lists them under "responsible causes," and says "the failure of food supply was not primarily due to natural causes." The China Famine Relief Committee states that the famine was caused by excessive drought, "revolution and banditry also, but these only secondary. It would have occurred in perfect peace." The Red Cross depicts the transportation difficulties as making the importation of food impracticable in the famine sections; but those in charge of the China Famine Relief work, to show that relief is practicable, point out that they are conveying supplies and money into the famine zone without molestation or loss, and thereby saving multitudes.

Certainly here is a dilemma for charitable people in America: Either it is feasible and right to aid the starving in China, or it is not. If it is feasible and right, why is relief withheld by our Red Cross, pledged as it is to the service of all mankind? If it is not, why is money being solicited for China Famine Relief, by a national committee under the chairmanship of a man like Dr. Cadman, and including others like Harry Emerson Fosdick, Henry Morganthau, Franklin D. Roosevelt, Elihu Root, to select at random just a few of the many eminent names on the committee?

MADALENE D. BARNUM.

Brooklyn, New York, N. Y.

Unforgettably Beautiful—or Priggish?

SIR: I should like to protest against Geoffrey T. Hellman's review of "Stephen Escott," by Ludwig Lewisohn [The New Republic, April 23]. Readers of Lewisohn's works cannot fail to detect occasional lapses of style, but, in the main, it may be said that no author today writes a more lucid, vivid or eloquent prose. I, for one, am willing to praise as unforgettably beautiful David Sampson's words: "My opinion is always the unpopular one; my party is always that of the wronged, and my justice is always mercy."

Granted that the Glover episode is so lengthily treated that it gives the story a lack of literary balance; granted that Mr. Lewisohn may slight the art of individual character delineation, the fact remains that he has voiced ideas of vital force in contemporary thought which Mr. Hellman himself confesses "are interesting." Lewisohn's novel is the first effective literary rejoinder to the notions of Dora Russell in "The Right to be Happy" and Bertrand Russell in "Marriage and Morals." Even Mr. Hellman may well forgive Mr. Lewisohn his zealous racial patriotism and emphasize rather the contribution he has made to the popularization of higher marriage standards. Gorham B. Munson may treat Lewisohn cavalierly in his essay in "Humanism and America," but the latter's novel is achieving more than any other recent book in restoring a sense of stability, orderliness and decency in an interpretation of the marriage ideal, to which the Neo-Pagans as well as the Liberals can give allegiance.

It is the business of a reviewer, as I conceive it, not only to indicate minor peccadillos of style, but also the major concepts the author seeks to convey. In this respect, I believe, Mr. Hellman has been unjust to "Stephen Escott."

San Francisco, Calif. LOUIS I. NEWMAN.

SIR: One could, of course, write a ten-thousand word essay on any book which, like "Stephen Escott," concerns itself with large questions of human relationships, but Mr. Lewisohn's "ideas of vital force" are interesting in themselves rather than in the light of his exposition. Whether or not he has answered "The Right to Be Happy," by Dora Russell, or "Marriage and Morals," by Bertrand Russell, has no more to do with his position as a novelist than whether or not he has refuted the first five books of plane geometry. If that was his object he should have written a pamphlet, not a novel. As for his racial bias, that crops out too frequently to be ignored. David's legal handling of the Paul and Janet Glover case, for example, is largely colored by racial self-consciousness. And as for Mr. Lewisohn's contribution to higher marriage standards, that would seem to inhere in the fact that he recommends common sense in sexual matters and a religious background to insure a happy marriage. The first of these major concepts is very sound indeed, the second open to doubt; but neither seems sufficient justification for a novel so deficient in structure, style and, above all, character portrayal. Incidentally, there is nothing "occasional" about Mr. Lewisohn's lapses of style: one could give literally hundreds of instances of sententious, artificial writing. The passage which Mr. Newman hails as unforgettably beautiful seems to me extremely priggish, affected and conceited. Moreover, it should not be necessary for a character to explain his beautiful nature to the reader after 302 pages of almost constant activity on his part.

New York City. GEOFFREY T. HELLMAN.

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The Babbittiad

The Critique of Humanism, a Symposium, edited by C. Hartley Grattan. New York: Brewer and Warren. 364 pages. $3.50.

A VERY distinguished friend of mine has a way of characterizing a person he dislikes as "tummyachey and life-diminishing." This pregnant phrase represents the single principle of unity in this symposium. The evident irritation of many of the contributors, which runs from the forthright bludgeoning of Mr. Burton Rascoe to the delicate pin pricks of Mr. Edmund Wilson as he moves scrutinizingly over the literary epidermis of Messrs. Babbitt and More—this irritation is chiefly aroused by the notion of the inner check, which is regarded as the most life-diminishing weapon in the Humanist's arsenal. In particular the resentment of the symposiasts is directed against what seems to them a certain priggish detachment and a controversial arrogance. Here we are dealing with feelings concerning which argument is useless, and evidently the validity of an ethical teaching does not depend on the personal or literary manners of its champions, though its viability may well depend very largely on such considerations.

The unhappy result of this preoccupation with Neo-Humanistic manners is that there is less direct criticism of Humanistic thinking than one would expect and wish. As a Humanist of the extreme left, perhaps justly suspect of occasional traffic with the enemy, I find myself in general agreement with many of the essays. With Mr. Mumford, who merely suggests that the formal teaching be enriched by what the scientific attitude can contribute, by a closer relation to experience and a more positive enthusiasm, I differ only at unessential points. In the main I can cheerfully subscribe to Mr. Winters' views in his admirable essay on "Poetry, Morality and Criticism." I believe with him that the poet while *qua* poet he provides his own proper restraints, also profits by the reasonable living of his fellows. I can get up no quarrel with Mr. Henry-Russell Hitchcock, who incidentally makes a just and charitable estimate of my own qualities and defects as a critic, except for taking much space and using much ingenuity to disprove what I think very few Humanists assert—that the Humanist is the artist's mentor and keeper. Again with Mr. John Chamberlain's reproach in his very perceptive survey of our recent fiction, that we have been too backward-looking and have too much washed our hands of contemporary literature, I am repentantly in accord. It is a fault that can and should be amended. Kenneth Burke's "The Allies of Humanism Abroad," a valuable informative essay, is on the whole non-contentious, for I think all titular American Humanists would admit that they have no one who commands the subtlety and urbanity of Jacques Maritain.

The essays I have mentioned either confirm, supplement, usefully criticize the New Humanism, or are irrelevant to the main issue. Nothing here will extort a militant snort from Babbitt nor an elegiac sigh from More. Nor do I think More will lose any sleep over Bernard Bandler, III's —versatile chap; he also wrote for the Humanist symposium—account of his philosophic isolation. The blow had already been dealt and endured from a nearer friend, the late Stuart P. Sherman. I am glad that Mr.Bandler has dug up that interesting document for More's development, "The Great Refusal." And since it is used as evidence of More's wandering from the first in a world of figments, I will hazard the indiscretion of revealing that there was a real Lady Esther and that the letters addressed to her in "The Great Refusal" originally carried real postage stamps.

The brunt of the doctrinal counter-attack is borne by C. Hartley Grattan, writing on the "New Humanism and the Scientific Attitude"; by Henry Hazlitt, on "Humanism and Value"; and by Allen Tate, on "The Fallacy of Humanism." Here if anywhere is the heavy artillery. Before discussing, or rather, in view of just limitations of space, defining these fundamental issues, let me express a personal suspicion. I suspect that the real nigger in the anti-Humanist woodpile—speaking with complete respect—is John Dewey. His uncritical optimism, his hard-boiled zest in improvisation, his restriction of the field of reference in living, his contempt of the play of the mind apart from actual emergencies, his joyous acceptance of life "as just one damned thing after another"—all this is deeply implied in all the serious objections to the New Humanism.

Mr. Grattan, who champions the moral values to be derived from the scientific attitude, is then entirely correct when he says "the Humanist would have us rely on what Veblen has called 'lore'—the 'wisdom of the ages,'" but he exaggerates when he says that the Humanist "rejects all modern psychology, biology and sociology." The Humanist merely does not expect to find his morality through these sciences and "near" sciences. Mr. Grattan cites John Dewey at length against those Humanist values which are "derived from intuitive glimpses of higher reality—of the antecedently 'real.'" Mr. Grattan makes good play of Dewey's dogma of "no separate mind," etc., and in general simply puts the New Humanists in the position of sorry psychologists. Similarly Mr. Hazlitt echoes John Dewey's zest for novelty and blindness to continuity. What Veblen calls "lore" is obsolete, being formulated at a time when no one "could conceivably imagine many of the most vital and complex problems of modern living."

Now the Humanist view, of course, is that this sense of the morally unprecedented is merely a form of Romantic illusion, the alleged differences being chiefly quantitative. In short, he believes that the attitude which made a good man in fifth-century Athens will go far towards making a good man in twentieth-century New York—that a firm vision of moral continuity in history is more valuable and at least pragmatically more true than a metaphysical definition, albeit dialectically correct, of moral emergencies as unique and discrete. With Mr. Grattan's desire to utilize and extend the "scientific attitude," I am in entire sympathy. It is a Humanistic program, meaning merely the encouragement of the virtues of active curiosity, open-mindedness and disinterestedness. Unquestionably men with those virtues are likely to lead good lives, though their morality seems to lack a balance wheel.

Henry Hazlitt, then, in the main repeats Mr. Grattan in flogging the Humanistic psychology with that of John Dewey. Dialectically he presses Babbitt shrewdly for his shifting use of such words as "nature," "naturism," etc., and he outbids Mr. Grattan's faith in science by committing our admitted troubles to the social sciences when and if they shall indeed emerge as real sciences.

I willingly admit that Mr. Grattan and Mr. Hazlitt succeed in showing that the New Humanism has behind it no psychology of a modern type and really very little psychology at all, and I hope as well to prove such lack of psychology does not matter. Allen Tate, however, seemingly launches a mortal thrust when he accuses the New Humanism of a metaphysic so fallacious that every

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Humanist is really only a naturist self-deceived and in verbal disguise.

It is perhaps a hopelessly unmetaphysical temperament that prevents my following Mr. Tate's argument—or really understanding him at all. This I regret, for I have rarely read a style that, seeming so important, conveyed to me so little meaning. But I hope I grasp, if vaguely, the general idea, which I may express in a metaphor. A Humanist is a kitten chasing its tail and purposefully keeping it out of reach of the eager mouth. But the feline inner check, as exteriorized in the withdrawn tail, and the pursuing mouth are really one and the same thing—that is natural. Now I do not get Mr. Tate well enough to know whether he has damaged Babbitt's and More's alleged metaphysics or not, and it doesn't matter to me if he has, for I hold that metaphysic really matters less to Humanistic morals than does psychology.

I grant freely that if the New Humanism be a philosophy or a psychology, its positions have been seriously damaged by that drum fire of the anti-Humanist heavy artillery which I have too briefly described. I wish to make it clear that I speak only for myself when I say that the New Humanism, being not a philosophy, not a psychology, but an empirical morality—neither a consistent metaphysic nor a systematized psychology, is of any special importance to it. Humanistic morality is indeed, I thank Mr. Hazlitt and Mr. Veblen for the word, chiefly "lore." It is based on certain postulates which are derived from long experience, the values of which have over and over been cashed in in human satisfactions. These postulates are roughly that human nature has not greatly changed within recorded history; that while, meticulously speaking, with Professor Dewey, every moral situation is unique, it is unique only in the sense that every nickel is unique. For the purpose of the slot machine every nickel is the same, and that is, speaking socially and in the light of common sense, the more important truth about a nickel. So moral situations for the Humanist have been repeated millions of times as types, have repeatedly found their appropriate solutions, which have an approximate and sufficient application to new situations of the old sort. In short, the Humanist believes in moral preparation and predisposition *ante rem,* which, of course, to Professor Dewey is dangerous heresy, as cramping the moral style at the moment of decision.

The Humanist frankly conceives himself as split into a lower (chiefly animal) and a higher (chiefly psychical) self. In this discrimination our nomenclature of "natural" and "human" is probably unfortunate, for both selves are in the order of nature. But practically the discrimination is useful and inevitable. If there be any free will, the moral world is dual, just as the physical world is unitary for the purpose of scientific investigation. Each postulate is true in its own field, and there is no way of knowing whether either is objectively true. This is the Humanist's much decried dualism. It may take the dualistic curse off to restate the position in terms of doing. The Humanist sees that practically he vacillates between what his "lore" tells him is good action and what it tells him is bad action. The Humanist escapes the inconvenience and confusion of his split position, by turning the command over to his higher self. He achieves not that mystical and metaphysical unity which is so extolled by many of the contributors to this volume, but rather a successful working balance, like that of a state which is generally ruled by its wisest citizens, but with a certain risk also that the less disciplined mob will have its way.

As to the ultimate aim, I do not agree with my colleagues that the end of Humanistic discipline is precisely happiness, though I do believe that satisfaction and happiness will normally follow Humanistic living, as a by-product. Nor do I believe that we should be moderate for the sake of being moderate, but rather in order through harmonious and useful activity to be worthy of that high company alive and dead from whose example we have derived our "lore." I cannot follow my friend Irving Babbitt when he speaks of "suprarational" sanctions for morality. I don't even know what he means by a word which to me seems proper only to religion. For me there would be only intuitions of good living based on "lore" revised and vitalized by personal observation and experience, pragmatically rational intuitions because they have consistently worked in the direction of self-respect, personal satisfaction, social esteem and usefulness; never rigid or absolute, but of sufficient authority and guiding power. All this presupposes an old-fashioned free will. And finally the New Humanism is in dissent with that view which would limit the connotation of "experience" to "the actual situation."

Now I am entirely prepared to concede to the anti-Humanists that all this is veriest moonshine in the light of modern metaphysics and psychology, and also to maintain that its being moonshine doesn't in the least impair its validity. We are dealing with categories of thought and feeling which are essential to any vital morality. These categories can neither be proved nor disproved dialectically. Their only proof is that they work as applied to the business of living. They stand outside of and above philosophy and psychology.

For example, Professor Dewey easily persuades me that psychologically I have no "separate mind" and indeed no "isolated self," both being merely parts or aspects of rapidly changing situations. But morally I must continue to act as if my mind (judgment) could be sufficiently abstracted from situations to shape them after the will of my, however illogically, isolated self. So Mr. J. B. S. Haldane completely convinces me that my environment is part and parcel of my personality, but I can act successfully in and through and upon my environment only by seeming to withdraw myself to a position outside and above it. Call this if you will, with one of the contributors to this volume, "beneficent illusion," it is also what Walter Lippmann calls "high religion," what Mr. Veblen ridicules as "lore," and what the New Humanist regards as the ever living and available "wisdom of the ages." Psychology, which obviously can be a most useful tool for Humanistic living, matters to the central position only if there really has been or is to be a radical change in human nature. The fact that the Humanistic categories have worked shows that they have been broadly in accord with the actualities of psychology, namely, with the thinking, feeling and willing of men and women.

Having, I hope, plucked Professor Dewey out of the woodpile, I respectfully put him back, and return to a more real woe—Why, oh, why, do they all think us "tum-myachey and life-diminishing"? It's partly, no doubt, our polemic manners. That accounts for that wrathful mythopoeia which makes Mr. Rascoe imagine Babbitt in servile and happy subordination to President Lowell, and More as battening on that stupendous Vanuxem Foundation, which actually concedes to its beneficiaries once in a lifetime a single lectureship on somewhat parsimonious terms. On this kind of thing I see no need to dwell. We may possibly learn to mend our controversial manners. (Mr.

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Rascoe may even mend his.) And even if we do not, our teaching, if it be valuable, will survive after our manners are well forgotten.

As to the weighty and respectable opposition to the New Humanism, it seems to me to rest chiefly on an odd but also quite natural misunderstanding, which I do not despair of clearing up. If, for the moment eliminating metaphysics, psychology and cerebral cavils generally, one examines the heartfelt hostile reactions of such natural friends of Humanism as Mr. Wilson, Mr. Mumford and Mr. Bandler, and of such a natural enemy as Mr. Cowley, one will find that though the resentment is partly against manners, it is more solidly based on the belief that while the New Humanism seeks to police the artist it also utterly ignores the common man. Speaking only for myself, but believing that I represent many of my colleagues, I deny emphatically that either the artist or the common man is the Humanist's prime objective. The Humanist as such only seeks to make the "superior man" in the Confucian sense. No more than Confucius, does he regard the superior man as isolated by his virtue from society. He regards such virtue as transmissible and contagious, and as the only force that will bring about a good life for men generally. So when Mr. Cowley scornfully asks "has Babbitt a social program?" the answer is—none except to make disciplined, virtuous and wise individuals who in time may frame the desiderated social program, and without whom in charge of social technic, programs of whatever sort will be merely so many tragic delusions.

Mr. Cowley's misunderstanding of my own words, "that a few thousand Humanists would make an America solidly Humanistic," betrays his tendency to see an antisocial attitude where there is none. I used the phrase as an Early Christian might have said—"if we can make a few thousand Christians, we can Christianize the Empire." An America with a few thousand persons isolated in their own self-righteousness would be no more acceptable to me than it is to Mr. Cowley. The Humanist is not hostile to that improving of the environment which the socialist urges, but he is skeptical of any permanent moral gain arising simply from material betterment. In short, he must accept cheerfully the dispraise that the environmentalist ever bestows on individualistic moralities and religions of whatever sort.

Having, I hope, shown that the Humanist is not heartlessly unmindful of the common man, but rather works in his interest if by indirection, I may pass to the perhaps less weighty accusation that Humanism wants to exercise a sort of police power over the artist. By and large this is the burden of the complaint of this entire book. Again, and speaking only for myself, I cannot see that the artist is conspicuously in the Humanist's purview. What distinguishes the artist from the Confucian superior man is the depth, range and vividness of the artist's imagination. It is a theoretical imagination which is embodied not in ordinary moral action, but in a very special sort of action—the creation of the work of art.

Now I do not believe that the bounds which common sense and experience set for the practical imagination are applicable to the theoretical imagination. There are bounds also for the theoretical imagination—to ignore them means madness, but I think the expert in the theoretical imagination, to wit, the artist, will have to find these bounds for himself. I don't think he should take his bounds from the Humanist.

I do not see that Humanistic morality, as I conceive it, has any jurisdiction over the creative imagination in the artistic field. That is not to say that it isn't to the evident advantage of the artist to live moderately in practical affairs. But even this can only be asserted very broadly and subject to wide exceptions. It has clearly been to the advantage of some artists to live immoderately. One cannot imagine an exemplary Villon or Verlaine attaining so piercing a lyric cry. One must simply accept that paradox of dandyism and degeneracy combined usually with the finest discipline and taste in cricitism and poetry which is Baudelaire. These things are mysteries. A high and fine art may rise out of a tarnished and disordered life. A real Humanist should rejoice, not grieve that it is so. The world is permanently the richer for the art. Indeed the situation ought to be welcomed by the Humanist if only as confirming his dualism. It is as if such an artist on the practical side lived under some lower self, while on the theoretical and creative side he lived under a higher self.

If a practical morality is good at all, it should be universally valid in practical affairs. To the extent that the artist is in practical affairs, Humanism is presumably as good for him as it is for a layman. Beyond this, a Humanistic society is likely to afford a more perceptive and intelligent patronage to the artist than a society shot by any sort of naturism. Thus it seems to me that the relation of Humanistic discipline to the artist is incidental and secondary—that the artist generally has to find his own way, and generally does so. This view leaves to Humanistic discipline primarily just the walk and conversation of the Confucian superior man, and I think there is the field. Most of the contributors to this volume—Mr. Mumford and Mr. Wilson are typical here—wish for everyone a nobly expansive life akin to the artist's—sure intuitions and enthusiasms which organize situations and without conscious repression provide incidentally the necessary sacrifices and inhibitions. How gladly would one live habitually on such a plane! My poet friend Rudolf Kassner, in "Die Moral der Musik," has written a beautiful book in this sense which ought long ago to have been translated. But after all how inaccessible is such an ideal! Such mystical episodes of complete affirmation are rare even in a privileged life. Towards such moments of illuminated expansion the Humanist can only extend both his desire and his skepticism. His desire, because these are the most precious experiences; his skepticism, because it is very easy to mistake a partial and false inspiration for one that is complete and true.

Humanistic morals, and for that matter, whatsoever feasible morality, apply only to average living on the high plane, to those long intervals between rare episodes of joyous yes-yesing, which, after all, constitute the fabric of any life. And here, too, in what may seem drab prose, arises an element of poetry and faith—for right living on an average high plane is the surest and fittest preparation for great moments which elude our finest formulas.

If this be admitted, the Humanist doctrine of the inner check should lose all of its odium. It simply expresses what is a habitual and useful procedure in average good living. What we actually do in making the constant necessary decisions is to consider alternatives and simplify by elimination, and the eliminated impulse is not to be regarded as simply canceled. It is drawn into the service of the new purpose. The other day, running over the letters of Marsilio Ficino, the Neo-Platonist, whom no one would charge with an austerely strait Humanism, I came across this:

> If you wish to be mindful of good things, seek to forget evil things: it is necessary to submerge vile

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things in the stream of oblivion in order to hold on to the things that are precious.

This seems to be no mere commonplace, but a true description of what actually happens in the routine of a disciplined and moral life—in short, it seems to be sound, practical psychology. Evidently such a "positive morality" as the New Humanists seek must deal with the moral situation as it finds it, and so must work modestly within the limits of high average morality as it is actually lived and experienced. The inner check is not used for its own sake, but for the sake of a coherent solution—that is, positively. Many of the New Humanists may be too far from the "actual situation"; but this is of minor and temporary importance. If the teaching is applicable to the actual situation, some one will apply it.

Again the Humanist's catchword "decorum" seems to be as offensive as the inner check. Here too I suspect a misunderstanding. Are we so tummyachey as justly to be suspected of using the word that the Romans applied to dying for the fatherland for a sourly puritanical morality producing monotonous and priggish manners? Are we so stupidly "life-diminishing" as actually to be preaching anything so repellant and absurd? I don't believe any anti-Humanist except Mr. Rascoe is simple enough to believe anything of the sort. Nobody who really believed that would do anything so foolish as to waste good time and thought writing about us. To me decorum only means the quality of a personality which commands situations, and is not necessarily a moral term. I see no lack of decorum in Signor Mussolini, as retrospectively I see none in Napoleon, though neither fully represents that complex of virtues with which decorum must be associated in order to be really Humanistic. And since situations are infinitely various, decorum in any life describes the most active and changing curve. To represent it as a monotonous straight line, is a false imagery for polemic ends. The hurdler is decorous when he takes the barrier swiftly and gracefully, and so is the priest when he intones *Requiescat* over a dead believer.

I cannot see that the anti-Humanist symposium has shaken seriously the central Humanistic position. In the main it is merely contrasted unfavorably with Deweyism. Even the most constructive essay, Mr. Mumford's "A Modern Synthesis," comes down to an enrichment and modulation of Mr. Babbitt's position. The differences between them seem to me more verbal than real. Much that Mr. Mumford emphasizes I am sure that Mr. Babbitt, perhaps ill-advisedly, takes for granted. Mr. Mumford rather mistrusts the personalities of the New Humanists than objects to their maxims.

The issue, which seems to me rather one of policy than of principle, is whether to change the scene by "boring," after I. W. W. tactics, from within, or by exhortation from without. The great religious leaders have almost invariably followed the latter course, and the New Humanists stand with them. Only time will tell whether they are opening a campaign or merely conducting an ultra-forlorn hope. While this symposium, then, seems to me to leave our central position undamaged, it has also provided valid and valuable criticism of our tactics, has suggested needed if chiefly marginal enrichments of our thinking, has shown up mercilessly our abundant sins of omission, has tested the weaker joints in our frugal dialectic. Hence, having profited by the book, I am grateful for it, and in this feeling I am confident I express that of many of my associates.

FRANK JEWETT MATHER, JR.

Stephen Crane's Poems

The Collected Poems of Stephen Crane, edited by Wilson Follett. New York: Alfred A. Knopf. 132 pages. $2.50.

IT IS FITTING that the poems of Stephen Crane should be collected and republished now. We are more than ready to receive them. This handsome young man with his profound concern about the exact nature of human fear has become something of an American legend. There are many stories told about Stephen Crane, but none quite so characteristic as one retailed by Ford Madox Ford. He remembers Crane as that tall, boyish, graceful American who took a special delight in startling his English friends by gayly flashing murderous six-shooters. Crane hated war, and we are led to suspect that he feared firearms. Flashing guns was a piece of stark bravado; and it is likely that Crane was acting out a part in which the ironic implications were understood by himself alone. At last we see him, sick, almost dying, rushing off to the Spanish-American War as an active spectator, all eagerness to realize the perverted glory of modern warfare at first hand.

Crane's prose and the general aspects of his character are among the many exceptions that gave color and life to the closing years of the nineteenth century. When we consider such phenonema as Robert Louis Stevenson, George Douglas and Joseph Conrad, Crane's individual exception to the rule seems less remarkable. A few of his short stories seem now a little old-fashioned and dated. But this is not true of his poetry. Even the following lines, after suffering steady repetition in anthologies, still retain epigrammatic vigor and freshness:

> But I like it
> Because it is bitter,
> And because it is my heart.

Thirty years of frequent quotation cannot retard the climactic effectiveness of "War Is Kind." Quite aside from any other virtue that the poems may possess, they are perennially youthful and alert; and we return to them for much the same reason that we are attracted to the early poems of E. E. Cummings and Edna Millay. Despite the fact that many promising writers start their careers by composing poetry and then drop the practice upon reaching the age of thirty or so, the percentage of genuinely youthful, spontaneous poetry is remarkably small. The production of such poetry demands technical precocity, and Stephen Crane was decidedly precocious in many ways.

His work seems to anticipate many of the characteristics which the Imagists were destined to advertise some fifteen years after his death. There are times when Stephen Crane seems to resemble Ezra Pound most strikingly. Compare Pound's use of a sublimated epigram with this poem from the "Black Riders":

> There was set before me a mighty hill,
> And long days I climbed
> Through regions of snow.
> When I had before me the summit-view,
> It seemed that my labor
> Had been to see gardens
> Lying at impossible distances.

Like those who came after him, Crane had a gift for economy in the use of words. A single image is projected,

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fixed in our minds, and the poem reaches its climax. And always, there is Crane's own buoyant and alert sense of irony. Take "Poem LXIV" from the same group:

Friend, your white beard sweeps the ground.
Why do you stand, expectant?
Do you hope to see it
In one of your withered days?
With your old eyes
Do you hope to see
The triumphal march of justice?
Do not wait, friend!
Take your white beard
And your old eyes
To more tender lands.

His talent is irresistible. Occasionally we come upon a brief love lyric:

Should the wide world roll away,
Leaving black terror,
Limitless night,
Nor God, nor man, nor place to stand
Would be to me essential,
If thou and thy white arms were there,
And the fall to doom a long way.

There is every reason to suppose that this will not be the last rediscovery of Stephen Crane's poems. That they will be lost again or neglected seems certain, for many of them are in the nature of a personal aside by a very young man of greater potentialities than he had time to develop. He was, however, a genuine artist; even the least important examples of his gift have a special quality of excellence.

HORACE GREGORY.

Sir William Johnson, Bart.

Johnson of the Mohawks, by Arthur Pound in collaboration with Richard E. Day. New York: The Macmillan Company. 556 pages. $5.

SIR WILLIAM JOHNSON, the Gatekeeper of the Mohawk, seems never to have received his due from history, largely, one surmises, because he died in 1774, and to the popular imagination there were no Americans prior to '75, and also because the depredations of his descendants, who remained loyal to the British cause, have cast a sad blight on his glory. He was the man who, for thirty-seven years, held the Iroquois in leash, sparing the New York frontier unimaginable horrors, until such time as the colonials were strong enough to invade and settle the "West."

The Mohawk Valley, running from Albany to Oswego, and called by the Six Nations who inhabited it, after the shape of their own dwellings, the Iroquois Long House, was the best and the only very good pass through the Alleghanies to the rich territory of the Middle West, and, as such, together with the friendship of the Iroquois, was vitally important to England, to France, and later to the United States. Into this valley in 1738 came Johnson, a poor Irish boy, and settled on lands belonging to his uncle, Admiral Sir Peter Warren. His business was to trade with the Indians and to induce settlers to take over his uncle's lands. As a trader he saw the necessity of cultivating the Indians, and having once done so, having "mastered their gutturals" and learned their customs, he seems to have cherished their friendship and defended their rights quite as much because of "the sincere affection he had imbibed for the race" as because his worldly fortunes were inextricably bound up with theirs. Similarly, as a trader, he saw the necessity of keeping Oswego and the Six Nations from the French. Having thus involved himself at the outset for purely practical and personal reasons with these two causes—defending the Indians and the settlers from each other, and keeping the Mohawk Valley for the English—he came to give them both his most unselfish devotion at great loss to himself in property and health.

He served in King George's War as colonel of the Mohawks and as purveyor of supplies to the fort at Oswego. In the Seven Years' War he won glory at the battle of Lake George and at the taking of Niagara, but his chief service in both these wars was not in his campaigning, but in his control of the Iroquois. Governor Clinton first placed him in charge of Indian affairs, but the New York Assembly refusing to reimburse him for money spent at the instigation of the Governor, in '51 he resigned his position. This resignation elicited the protest of old Hendrik of the Mohawks, "We had him in wartime, when he was like a tree that grew for our use, which seems now to be falling down, though it has many roots . . . ," with the ultimate result that Johnson was established Sole Indian Agent for the tribes in the north, drawing his authority and salary directly from the Crown. In this capacity he treated with the Indians at the close of the Seven Years' War, making them all the King's allies, an inestimable service and one which could have been accomplished by no other man of his time. His most important treaty was that of Fort Stanwix in '68, which drew a line, "smooth on paper, rough on earth," dividing the Indian territory from the colonial, a line which he maintained to the best of his ability until the day of his death. After his death, the French menace gone from the north and the Indians in a state of comparative tranquility, the colonies were able to proceed with their revolution.

Mr. Pound has presented Sir William, together with his compatriots and his time, with enthusiasm and thoroughness. The book is profusely documented, the documentation being the work of Dr. Day, compiler of the Calendar of Johnson manuscripts for the state of New York. One wishes, for the sake of the story, that the manner of telling it might have been more swift and concise. Meanwhile we have the man, arriving in the Indian country and buying himself a Dutch servant girl for a wife; being made blood brother of the Mohawks; leading the Mohawks, himself in full Indian regalia and war paint, to the conference at Albany; riding in a sedan chair (garlands and cupids and mother-of-pearl?) through the wilderness of Detroit; pacing the greensward with gestures of Indian oratory; receiving, in cocked hat and braided clothes, the ladies of Detroit, whom he treated with cakes, wine and cordial; receiving, at Fort Johnson, Kalm, the Swedish naturalist and friend of Linnaeus; ordering bulbs, shoots and scions for his garden; putting up a little summerhouse; writing a friend to find him an Irish harper to accompany his dwarf violinist; writing for a copy of "Roderick Random," of "An Historical Review of the Transactions of Europe from the Commencement of the War with Spain," and "Amaryllis, a new Musical Design Well Bound"; writing a report on the temper of the Mohawks to the Lords of Trade; building—he was an inveterate builder—new stone fortifications for Johnson Hall, building a Fish House and a shooting box; holding county fairs and country tournaments; receiving delegations of Indians, who "spoil his garden and keep his house always dirty"; going long journeys on foot or horse or by "battoe"; cursing the Lake George bullet in his thigh; trying a new medicine for the dysen-

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tery; and writing again, always writing, to Colden, to Clinton, to Pownall, to Amherst on Indian and military affairs, to clergymen and scientists on affairs of the spirit and the nature of the physical universe; and, finally, being stricken with a "fit" in full council, in his last attempt to explain away to his red brothers the continued white encroachments on their territory.

He was the father of perhaps a dozen illegitimate Mohawk half-breeds, among whom is sometimes reckoned Joseph Brant, Boswell's guest, and he was the legal founder of a line of soldiers and sailors who have since contributed to the security of the British Empire.

It may be worth noting in passing how very well this frontier diplomat handled the English language. Some of his letters, written, one imagines, in the midst of action and confusion, are badly enough jumbled, but for the most part Sir William, like a number of other backwoodsmen of the eighteenth century who have left us their memoirs, had a fine command of the rhetoric of his century.

When his bones were moved, nearly a hundred years after his death, his dust yielded two small objects: the Lake George bullet which he had carried in his flesh since the day of the battle, and a plain gold ring dated June 16, 1739.

JANET LEWIS.

Prairie Women, by Ivan Beede. New York: Harper and Brothers. $2.50.

THE BITTER inconsequence and sadness of life, the ironic habit which it has of stripping, one by one, aspirations and ideals from the human heart until nothing much remains but an enfeebled will to survive—these are not particularly new discoveries for a writer to make, but they are reiterated rather admirably in this novel. It is little more than a series of sketches of incidents in the lives of defeated, frustrated men and women in a prairie town, told with simple assurance and economy of means; one would have no legitimate quarrel with it were it not that the author's fear of the superfluous leads to a certain confusion in the reader's mind. There is virtually no character development, no real differentiation of personality, and it is not until the book is almost finished that the characters become distinguishable entities. One feels what one rarely feels about contemporary fiction, that it would have gained considerably had it been longer. It is, nevertheless, a competent piece of work. H. C. C.

Contributors

JOHN T. FLYNN was formerly managing editor of The New York Globe. He contributes articles on economic and financial subjects to the leading periodicals.

MAHATMA GANDHI'S letter to the Viceroy, which we publish this week, is taken from the columns of The Bombay Chronicle. A few typographical errors and obvious misuses of English words have been corrected.

MARGARET NAUMBURG was one of the founders of the Walden School in New York City. She is the author of "The Child and the World."

ROGER N. BALDWIN is a director of the American Civil Liberties Union.

FRANK JEWETT MATHER, JR., is Marquand professor of Art and Archæology at Princeton University and the author of "Estimates in Art," "Modern Painting" and other books.

HORACE GREGORY is the author of "Chelsea Rooming House," a book of verse, announced for fall publication.

JANET LEWIS, the wife of Yvor Winters, has contributed poems and stories to various magazines.

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